

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

DECEMBER 20, 2017

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, December 20, 2017 at 5:30p.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
Matt Elberfeld	County Administrator
Kim Serra	Assistant County Administrator
Paula Spicer	Fiscal Court Clerk
Marie Schenkel	Finance Director
Frank Spataro	Human Resources Director
Chief Craig Sorrell	Campbell County Police Department

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 Fiscal Court regular meeting of December 6, 2017 were presented. Commissioner Painter made a motion to adopt the minutes as corrected, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Rusty Mardis, Director of the Veteran In-Processing Walk-In Center for Tristate Veterans Community Alliance, and founder and chair of the Northern Kentucky Veterans Project addressed the Fiscal Court about the Veterans Project. He advised that there are about 6,000 veterans in Campbell County and about 30,000 in Northern Kentucky. As a 24-year US Air Force veteran whose wife is also an Air Force veteran, Mr. Mardis talked about how their service affected their two children and about his deployments. The Northern Kentucky Veterans Project was formed because of the severe lack of support and services for military, veterans and their families in the region. The Project is currently working to develop a consolidated Northern Kentucky resource list, streamline processes and procedures, identify needs and work solutions,

provide networking opportunities and to build and strengthen the military, veteran and families community. The first meeting of the Veterans Project was held about 10 months ago and was attended by 7 agencies; they now have about 33 agencies participating in the Project. Mr. Mardis stated that Northern Kentucky is not as supportive of veterans as Ohio and other parts of Kentucky. Some facilities in Cincinnati that will assist veterans in Northern Kentucky, but many veterans will not travel to Cincinnati for services. Mr. Mardis explained that with the help of the Kentucky Department of Veterans Affairs and the American Legion Post 275 (Independence), the Northern Kentucky Veterans Project was able to connect, coordinate, house and staff a certified office in Northern Kentucky. Unfortunately he was informed by the Kentucky Department of Veterans Affairs that one of the representatives has been moved to another part of the state. Mr. Mardis talked about his struggles to return to a “normal” life upon his return from Afghanistan and after retiring from military service. Thanks to the Tristate Veterans Community Alliance and the Northern Kentucky Veterans Project, it doesn’t have to be like that for current service members, veterans and their families. Mr. Mardis stated that the Project has seen some amazing success in a short period of time, but still has a long way to go. Judge Pendery thanked Mr. Mardis for his report and for the resources that he provided to the Fiscal Court.

Finding that nobody has signed in to address the Fiscal Court, Judge Pendery proceeded with the agenda.

Paula Spicer presented old business with a second reading of O-14-17. O-14-17 updates the official zoning map for unincorporated Campbell County to rezone an approximate 15.1 acres located along US 27 (Alexandria Pike) and Peach Grove Road in unincorporated Campbell County, Kentucky, as described in the map attached to O-14-17, from Agricultural One (A-1) to Rural Commercial (RC). Judge Pendery made a motion to adopt O-14-17, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

New business was presented with Resolution R-112-17 by title and summary. R-112-17 authorizes the County Judge/Executive to execute an application to the Kentucky Board of Emergency Medical Services for Ambulance Block Grant Funds for FY 2018-2019. All funds received will be distributed to local EMS agencies that have applied for funding. Commissioner Lampe made a motion to adopt R-112-17, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

Resolution R-113-17 was read by title and summary given. R-113-17 authorizes the County Judge/Executive to execute two-year agreements with ABC Towing LLC, Dempsey Towing Inc., Seibert Auto Service and Silver Grove Motors Inc. to provide wrecker and towing services in Campbell County. Commissioner Lampe made a motion to adopt R-113-17, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

Resolution R-114-17 was read by title and summary given. R-114-17 amends the Campbell County Police Policy and Procedure Manual at Chapter 2B “Code of Conduct” and updates the Merit Board Rules and Regulations. Commissioner Painter made a motion to adopt R-114-17, seconded by Commissioner Lampe. Commissioner Painter stated that the amendment looks like a pretty standard Code of Conduct. Chief Sorrell agreed stating that he sometimes incorporates

provisions that he sees in other policies into Campbell County's policy. All voted "AYE" and the motion passed.

Resolution R-116-17 was read by title and summary given. R-116-17 authorizes an Interlocal Cooperation Agreement with the City of Wilder for building inspection services. Commissioner Lampe made a motion to adopt R-116-17, seconded by Judge Pendery. Judge Pendery stated that the County tries to make its services available to the cities. Commissioner Painter stated that HVAC inspections are complicated and the County has taken over the inspections from the State. The ability to provide these kinds of key services makes the County's Planning and Zoning Department more valuable. All voted "AYE" and the motion passed.

Resolution R-117-17 was read by title and summary. R-117-17 authorizes a Canada Geese Hunting Program at A J Jolly Park beginning on December 28, 2017 through January 19, 2018 to address problems caused by geese at the Park. Judge Pendery made a motion to adopt R-117-17, seconded by Commissioner Painter. Kim Serra explained that this is the third year in a row for the program. There are many geese in the Park and the Golf Course and staff has tried many different methods to discourage the geese throughout the year. The hunting program will have a youth day and adult hunting. It will be held during the proper hunting season with assistance from the Kentucky Department of Fish and Wildlife and Campbell County Extension District. All voted "AYE" and the motion passed.

Judge Pendery made a motion to advance Police Officer Robert Dieman from PO5 (\$23,838.17 per hour or \$49,583.17 annually) to PO6 (\$25,506.90 per hour or \$53,054.27 annually) effective January 10, 2018 in accordance with the current 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 Terry Jolly, Golf Pro/Manager effective June 1, 2018. Commissioner Lampe seconded the motion. Judge Pendery stated that Mr. Jolly has had a great run of excellence at the golf course and will be missed. All voted "AYE" and the motion passed.

Resolution R-118-17 was read by title and summary. R-118-17 eliminates the Assistant Golf Professional position and authorizes corresponding amendments to the Administrative Code. Judge Pendery made a motion to adopt R-118-17, seconded by Commissioner Lampe. Mr. Elberfeld explained that there are currently two full-time Golf Professional positions at the golf course. Staff has looked at what other area courses have done and determined that it is in the best interest of the course and the County to have just one full-time Golf Professional. To accomplish that, the Assistant Golf Professional position is being eliminated and there will be a motion to terminate the employment of the person in that position. He stated that staff will advertise for a new Golf Pro/Manager and make a recommendation to the Fiscal Court at the end of January or first of February for a new Golf Pro so that there will be a couple months of transition before Mr. Jolly retires. Beginning June 1, 2018 there will be only one full-time Golf Professional. Commissioner Coleman asked if this was one of the recommendations made when the County looked at privatizing the golf course. Mr. Elberfeld stated that having one full-time professional was one of the recommendations. All voted "AYE" and the motion passed.

Judge Pendery made a motion to authorize staff to advertise, interview and make a recommendation to fill the Golf Professional/Manager position. Commissioner Lampe seconded the motion. All voted "AYE" and the motion passed.

Judge Pendery made a motion to terminate the employment of Steve Cunningham, Assistant Golf Professional effective March 3, 2018. Commissioner Lampe seconded the motion. All voted "AYE" and the motion passed.

Judge Pendery made a motion to accept the resignation of Chuck Heilman from the Sanitation District No. 1 Board of Directors effective December 20, 2017. Commissioner Lampe seconded the motion. All voted "AYE" and the motion passed.

Judge Pendery made a motion to appoint Robert Jackson Scott III to the Sanitation District No. 1 Board of Directors to fill the unexpired term of Chuck Heilman effective December 21, 2017 through July 14, 2020. Commissioner Lampe seconded the motion. Commissioner Coleman stated that he did not know about this appointment until he got the agenda on Friday. He does not know anything about Mr. Scott except from his resume. He would like to know how he stands on certain issues especially the Camp Springs pipeline project. Judge Pendery stated he has never asked a board appointee for an opinion on a particular issue. He only asked that they exercise their best judgment on the assumption that they have more facts than he does. Commissioner Coleman asked if Mr. Scott is a Campbell County resident. He stated that he does not feel comfortable voting on this issue at this meeting, so he will abstain. Judge Pendery stated that Mr. Scott does live in Campbell County and he will get his address. He then stated that they need to vote on the appointment at this meeting because of some upcoming issues. Commissioners Lampe and Painter and Judge Pendery voted "AYE" and the motion passed. Judge Pendery then thanked Mr. Heilman for his service on the Board. He served for seven years including serving as the Chairman and Treasurer. Mr. Scott has been the President of Terracon, a well-known respected engineering group, and has an extensive career in community service including service on the Extension District Board.

Commissioner Coleman stated that several times in the last year it was asked if Campbell County is a sanctuary county. He has told people that it is not. It was reported in the news media this week that a 35-year old Guatemalan man was arrested in Covington for multiple DUI's. The man had previously been deported then illegally reentered the US. Commissioner Coleman read an article stating that on September 7, 2017, 4 hours after being arrested, the man was released from the Campbell County Detention Center who failed to honor an ICE detainer. Judge Pendery stated that if he had known in advance he could have gotten an explanation from the County Jailer. Commissioner Coleman stated that he does not trust everything he reads in the media, but this makes it sound like Campbell County is a sanctuary county. Judge Pendery stated that to be designated as a sanctuary county means that a policy has been established to provide sanctuary, but Campbell County does not have any such policy. There may have been other reasons why the man was released; he will get information about it from the Jailer. Mr. Franzen explained that an ICE detainer is a request from ICE (Immigration Services) to hold a prisoner for a certain amount of time. Commissioner Coleman stated that the article said that that man was only held for four hours. Judge Pendery stated that they will get an explanation from the Jailer.

Commissioner Coleman stated that his daughter and her husband lease a home in unincorporated Campbell County. Their lease payment went up and the landlord told them it was because of tax increases. This is an example of when taxes are raised, it filters down to consumers who are stuck with the cost.

Commissioner Lampe wished a Merry Christmas and Happy Holidays to County employees, businesses, residents and stakeholders of Campbell County.

Commissioner Painter echoed Commissioner Lampe's sentiment.

Mr. Elberfeld read Resolution R-115-17 by title. R-115-17 authorizes the execution of a Distribution Agreement for amounts collected in collaboration with other local government entities for past due payroll taxes. He explained that about a year ago, the Fiscal Court authorized the County Attorney's office to begin pursuing unpaid payroll taxes from beer distributors who claimed that they were not subject to local taxation. The County disagreed. The distributors have agreed to pay three years of back taxes in the amount of \$24,021.36 to Campbell County and have agreed to file and pay tax returns in the future. The Fiscal Court needs to approve the distribution and settlement agreement that sets out how the money is to be divided among the Fiscal Court and various other jurisdictions involved. Commissioner Coleman asked how the amounts were determined; the distributors may not work in Campbell County every day. Mr. Franzen stated that the taxes are based on revenue. Mr. Elberfeld added that there is an apportionment factor based on sales in Campbell County divided by total sales. Judge Pendery made a motion to adopt R-115-17, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Judge Pendery announced that the Campbell County Fiscal Court and several cities will offer Christmas Tree Recycling drop off locations for residents beginning December 26, 2017. Pendery Park will serve as the drop off location for residents of the unincorporated County. Visit the Fiscal Court website at www.campbellcountky.org for more information about specific locations and dates.

Judge Pendery announced that an educational/registration program will be held on Thursday, December 21 at 6pm at the Campbell County Environmental Education Center for the general public and hunters who want to participate in the upcoming Canada Goose Hunt. The hunt will take place December 28, 2017 through January 19, 2018 in select areas of A J Jolly Park.

Marie Schenkel requested a motion to approve budget transfers as presented for December 20, 2017. She explained that the transfers do not change the overall budget they only reallocate certain funds. Motion was made by Commissioner Lampe, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Ms. Schenkel then requested a motion to approve the claims and supplemental claims as presented for December 20, 2017. County Attorney Steve Franzen stated that he has reviewed the claims and determined that they all appear appropriate. Commissioner Lampe made a motion to approve the claims and supplemental claims, 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 6:12 p.m.

Attachments:

Ordinance O-14-17 Zoning Map Amendment
Resolution R-112-17 Ambulance Block Grant Fund Application
Resolution R-113-17 Agreements for Towing and Recovery Operators
Resolution R-114-17 Amend Police Policy and Procedures and Merit Board Regulations
Resolution R-116-17 Interlocal Agreement with City of Wilder
Resolution R-117-17 Authorize Canada Geese Hunting Program
Resolution R-115-17 Agreement for Distribution of Past Due Payroll Taxes
Budget Transfers Dated December 20, 2017
Claims and Supplemental Claims Dated December 20, 2017

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk