

**CAMPBELL COUNTY FISCAL COURT  
MINUTES**

**May 7, 2008**

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, May 7, 2008, 7:00 p.m. at the Campbell County Courthouse located at 8352 East Main Street, Alexandria, Kentucky.

In attendance at the meeting were:

COUNTY JUDGE/EXECUTIVE:  
STEVE PENDERY

COUNTY COMMISSIONERS:  
DAVE OTTO  
KENNETH RECHTIN  
MARK HAYDEN

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| Robert Horine         | County Administrator              |
| Melissa Williams      | Director of Administration        |
| Jim Seibert           | Director of Fiscal Affairs        |
| Justin Verst          | County Attorney                   |
| Lt. Col. Todd Straman | Campbell County Police Department |
| Pat Dressman          | Director of Human Services        |
| Peter Klear           | Director of Planning and Zoning   |
| David Plummer         | Administrative Analyst            |
| Susan Prather         | Fiscal Court Clerk                |

The meeting was called to order at 7:00 p.m. by Judge Pendery. Cable Access was present to film the meeting.

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

Minutes from the Fiscal Court Meeting held April 23, 2008 were presented by Judge Pendery. Motion was made by Commissioner Otto, seconded by Commissioner Hayden, to approve the minutes of the meeting held April 23, 2008 as presented by Clerk. All voted "AYE" and the motion passed unanimously.

Judge Pendery recognized citizens or public officials wishing to address the Court. Mr. Mike Mangeot of Oxford Development, LLC requested that the Fiscal Court send a letter of support to the Kentucky Highway Department for the installation of a traffic light at the entrance of the proposed Cold Spring Plaza on US 27. He provided a copy of a Resolution of Support from the City of Cold Spring for the Court's review. Judge Pendery suggested that the request be addressed at the next quarterly meeting taking place with District Six. Mr. Mangeot explained

that the request has been submitted to the Transportation Department who stated that do not address such needs until such time as the development is complete and a traffic count performed. He referred to the need as outlined in the Feasibility Analysis for Traffic Control Signal Installation prepared by Oxford Development in September 2007. Commissioner Hayden requested that a copy of the study be provided. Upon the request of the Court, Mr. Mangeot then provided details of the proposed development.

Mr. Peter Klear, Director of Planning and Zoning, then provided a powerpoint overview on the Comprehensive Plan Update. He provided details as to the vision, goals and objectives of the Comprehensive Plan and Future Land Use Map along with additional recommendations and implementation. He stated that a public hearing is scheduled for Tuesday, May 13, 6:00 p.m. at the Alexandria Courthouse to present the final version for adoption. Mr. Klear noted that should anyone desire additional information, copies of the plan are available for review at the Fiscal Court offices and Planning and Zoning. The plan can also be accessed on the Campbell County website. He invited questions and comments. Commissioner Otto questioned the length of time that was necessary to update the Plan. Mr. Klear stated that twenty-two months were spent on the Update. Commissioner Hayden questioned the number of public hearings held during the process. Mr. Klear stated that six public hearings were held in addition to additional meetings of the advisory board. Commissioner Hayden mentioned the improvement of county roads relative to the subdivision process. He commented that the Planning Commission used to have the opportunity to grant a waiver for the deposit of escrow funds for road improvements when the proposed subdivision involved the transfer of property from family members. Mr. Klear clarified this element of the subdivision regulations. Next, Mr. Klear stated that the waiver was problematic for several reasons. Mr. Klear noted that this part of the subdivision process was the only means that the county had to obtain funds needed to offset the cost of development. Unlike cities which have the authority to assess adjacent property owners to conduct road repairs, the county does not have that authority. The county does not have the ability to raise money needed to fix or improve county roads due to limitations in state law. Mr. Hayden stated that he felt that the ability of the Planning Commission to grant the waiver for family transfers should be restored.

Mr. David Plummer, Administrative Analyst for the Fiscal Court, presented an update on the Campbell County 2008 Spring Clean-Up. He noted that the event went smoothly in large part due to the efforts of the Road Department and Rumpke. He presented statistics as to the materials collected over the past years pointing out that the recent clean-up presented the lowest amount of material to date. Commissioner Otto questioned whether the dates of the clean-up should be pushed back. Mr. Plummer explained that pushing the date back would interfere with various sporting activities occurring at Pendery Park. Judge Pendery thanked Mr. Plummer for his efforts for such a worthwhile cause.

Judge Pendery then called for the presentation of Old Business. Melissa Williams stated there was no Old Business before the Court.

Next, Judge Pendery called for the presentation of New Business. Ms. Williams requested a motion to proclaim May 11-17, 2009 at National Police Week in Campbell County. During this week the citizens are asked to join in commemorating law enforcement officers, past and present, who have rendered dedicated service to their communities. May 15, 2008 is National Peace

Officer's Memorial Day when officers are honored who have made the ultimate sacrifice in service to their community or have become disabled in their performance of duty. Flags should be flown at half-staff on all government buildings during this day. The Proclamation was requested by Chief Keith Hill. Lt. Col. Todd Straman was available for questions. Motion was made by Commissioner Otto and seconded by Commissioner Rechlin. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Resolution R-49-08 to the Court for consideration. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court authorizing the Judge/Executive to execute a contract with the Alexandria VFW Post 3205 to assist with the hauling and grading of soil for ball field maintenance. She explained that Mr. Daniel Barone, Quartermaster for the VFW, requested the assistance of the Fiscal Court to haul dirt from the riverbanks. The VFW will allow Fiscal Court to use their meeting room. She added that the VFW does not charge the community for use of their ball field. Judge Pendery stated that such services are provided by the Fiscal Court for various other community organizations. Motion was made by Commissioner Otto and seconded by Commissioner Hayden. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Next, Mrs. Williams presented Resolution R-50-08 to the Court for consideration. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court authorizing the County Judge/Executive to execute a contract with Central Business Group for the purchase and installation of shelving systems for the new County Administration Building and to execute Service Agreement after the first year. She noted that the combined cost for the departments of the County Clerk, PVA and Sheriff would be \$420,265.11. Ms. Williams added that the systems are very sophisticated and will serve the departments well into the future. Commissioner Hayden questioned the need to enter into such a contract at the current time. Ms. Williams explained that the rail systems need to be installed when pouring the slabs for the building. In addition, the cost of steel continues to increase and entering into a contract at this time will guarantee current pricing. Commissioner Rechlin questioned whether the cost is included in the originally estimated cost of the building. Ms. Williams stated that the proposed cost is over and above the original estimates and that the County is responsible to provide shelving and furniture for the facility. She pointed out that it is the County's responsibility to fulfill the needs of the County Clerk, PVA and Sheriff and that safeguards have been built in to the shelving systems for the safety of citizens and employees. Mr. Horine thanked Ms. Williams for her hard work in coordinating such an intensive endeavor. Motion was made by Commissioner Hayden and seconded by Commissioner Otto. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Resolution R-51-08 was next to be presented by Ms. Williams. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court allocating Senior Citizens' Tax Funds for FY2009. She noted that the total funds recommended for allocation are \$464,950. Pat Dressman, Human Services Director, was present to address any questions or concerns. Motion was made by Commissioner Rechlin and seconded by Commissioner Otto. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Resolution R-52-08 to the Court for consideration. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court allocating Mental Health/Mental Retardation Tax Funds for FY2009. She noted the total funds recommended for allocation are \$966,360. Pat Dressman, Human Services Director, was present to address any questions or concerns. Motion was made by Commissioner Rehtin and seconded by Judge Pendery. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Personnel items were then brought before the Court. Ms. Williams requested a motion to appoint the following seasonal employees:

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| Daniel Brandenburg | Park Maintenance Worker | \$9.71/hr |
| Michael Tillett    | Camping/Concession      | \$9.35/hr |
| Mark Stemmer       | Golf Maintenance Worker | \$9.71/hr |

She stated that said appointments would be effective May 7, 2008 through the 2008 Park Season. Dennis Reller, Park Manager, and Steve Myers, Golf Superintendent, recommend the appointments. Motion was made by Judge Pendery and seconded by Commissioner Otto. There being no further discussion, all voted "AYE" and the motion passed unanimously.

A motion to promote Norman Wayne Short from the position of Golf Maintenance Specialist I to Golf Maintenance Specialist II with compensation increased from \$17.00/hr. to \$17.69/hr. was then requested by Ms. Williams. She stated that the said promotion would be effective May 7, 2008. Motion was made by Judge Pendery and seconded by Commissioner Rehtin. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to reappoint Marsha Dufek to the Northern Kentucky Area Development District's Council on Aging for a two year appointment effective July 1, 2008 through June 30, 2010. Motion was made by Judge Pendery and seconded by Commissioner Otto. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Next, Ms. Williams requested a motion to appoint Rose Lee to the Northern Kentucky Area Development District's Council on Aging to fill the unexpired term of Carol Petroc, who recently resigned, effective immediately; along with appointing her to a new two year term effective July 1, 2008 through June 30, 2010. Motion was made by Judge Pendery and seconded by Commissioner Otto. There being no further discussion, all voted "AYE" and the motion passed unanimously.

A motion to reappoint Timothy Brannock to the Campbell County Cable Board for a four-year term effective July 1, 2008 through June 30, 2012 was then requested by Ms. Williams. Motion was made by Judge Pendery and seconded by Commissioner Rehtin. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Upon the conclusion of New Business, Judge Pendery requested reports from Staff. Robert Horine, County Administrator, presented Resolution R-53-08 Resolution to the Court for consideration. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court authorizing the County Judge/Executive to execute change order number 19-2 to the Contract with Perkins/Carmack Construction LLC for construction of the Administration Building and Health Clinic. He noted that the change order will allow the

contract cost with Perkins Carmack Construction LLC to increase by \$999.35 to install one 12 foot gate at the southwest corner of the construction site to allow Cincinnati Bell to access a telephone vault located in the public right-of-way. Motion was made by Commissioner Otto and seconded by Judge Pendery. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Resolution R-55-08 was then presented by Mr. Horine. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court authorizing the Judge/Executive to approve and execute change orders to contractors for the Administration Building and Health Clinic project up to 5% of the approved bid amount through e-mail process. He noted that the process was utilized for the jail project and expedites unforeseen issues and make changes which would be beneficial to the County. He further explained that such a process is needed as any addition to the contract results in a change order. Commissioner Rehtin questioned whether the five percent is for the project in its entirety or each line item. Mr. Horine stated that the five percent allows for each contractor. Motion was made by Commissioner Rehtin and seconded by Judge Pendery. There being no further discussion, all voted "AYE" and the motion passed unanimously. Mr. Horine then provided a brief report on the status of the construction project.

Mr. Horine then presented Resolution R-56-08 to the Court for consideration. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court authorizing the County Judge/Executive to execute necessary documents to purchase property located at 1002-1012 Saratoga Street in Newport. He stated that the property is located at the Southwest corner of Tenth and Saratoga and was formerly a used car lot. The property would provide additional parking to serve the new County Administration Building and Health Clinic. The City of Newport has agreed to sell the property for \$194,782 which is the amount spent to acquire the property in 2006 plus actual costs associated with this acquisition and demolition of a building on the County-owned property at 1027 Monmouth Street. Motion was made by Commissioner Hayden and seconded by Commissioner Rehtin. Commissioner Otto questioned plans for the property until such time as the new building is complete. Mr. Horine stated the property will be improved to meet the anticipated parking needs. Commissioner Rehtin encouraged Staff and the Contractor to contact the City of Newport and abide by their parking regulations. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Mr. Horine then requested a motion to enter into Executive Session at the conclusion of all other business pursuant to KRS 61.810(1)(c): discussions of proposed or pending litigation against or on behalf of the public agency. No action will be required following the Executive Session.

Neither the County Attorney, County Commissioners nor Judge Pendery had reports to submit.

The Fiscal Director's Report was then provided by Mr. Jim Seibert, Director of Fiscal Affairs. He requested a motion to award bids to the following for road paving contracts as recommended by Road Supervisor Ken Schultz:

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|--------------------|-----------------------|-------------|
| Mago Construction: | Washington Trace      | \$56,245.84 |
| Mago Construction: | Visalia Road          | \$36,995.59 |
| Mago Construction: | Fausz Road            | \$15,963.48 |
| Mago Construction: | Schababerle Hill      | \$62,332.83 |
| Mago Construction: | Barrs Branch          | \$44,104.80 |
| Mago Construction: | California Crossroads | \$86,977.03 |
| Barrett Paving:    | Poplar Thicket        | \$47,397.00 |

Motion was made by Commissioner Rechtin and seconded by Commissioner Otto. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Mr. Seibert then requested a motion to award bids for the surplus items. Motion was made by Commissioner Otto and seconded by Commissioner Rechtin. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Next, a motion to authorize staff to seek bids for the Road Department materials (salt, stone, culvert pipe, and liquid asphalt) was requested by Mr. Seibert. Motion was made by Judge Pendery and seconded by Commissioner Otto. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Mr. Seibert then requested a motion to authorize staff to pursue competitive quotes for a new contract for the lease of golf carts for the A J Jolly Golf Course. He explained that the County has been presented with the opportunity to reduce future cost for the lease of golf carts. Motion was made by Commissioner Rechtin and seconded by Judge Pendery. There being no further discussion, all voted "AYE" and the motion passed unanimously.

A motion to acknowledge for the record that Judge/Executive Pendery provided a draft FY2009 general fund budget to the County Commissioners in compliance with the May 1<sup>st</sup> deadline as required by the Kentucky Revised Statutes was then requested by Mr. Seibert. Motion was made by Commissioner Rechtin and seconded by Commissioner Otto. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Mr. Seibert then presented Resolution R-54-08 to the Court for consideration. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court to grant Sheriff John Dunn Jr. his quietus for 2007 taxes. He noted that collection is complete and has been reviewed by County Treasurer Diane Bertke and found to be in compliance. Motion was made by Commissioner Rechtin and seconded by Commissioner Otto. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Mr. Seibert then requested a motion to approve the transfers as presented. Motion was made by Commissioner Rechtin and seconded by Judge Pendery. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Mr. Seibert then requested a motion to approve the claims and supplemental claims as presented. Mr. Verst stated he reviewed the Claims and all appear to be in order. Motion was made by Commissioner Otto and seconded by Commissioner Hayden. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Motion was then made by Commissioner Rehtin, seconded by Commissioner Otto, to enter into Executive Session per KRS 61.810(1)(c). Upon exiting Executive Session, it was moved by Commissioner Rehtin and seconded by Commissioner Otto to resume the regular meeting. There being no further discussion, all voted "AYE" and the motion passed unanimously.

There being no further business to come before the Fiscal Court, it was moved by Commissioner Rehtin, seconded by Commissioner Otto, that the meeting be adjourned. All voted "AYE" and the meeting adjourned at 9:44 p.m.

**Attachments:**

National Police Week Proclamation

Resolution R-49-08 Contract with Alexandria VFW Post 3205

Resolution R-50-08 Contract with Central Business Group

Resolution R-51-08 Allocation for Senior Citizens' Tax Fund FY09

Resolution R-52-08 Allocation for Mental health/Mental Retardation Fund FY09

Resolution R-53-08 Change Order for New County Administration Building

Resolution R-54-08 Sheriff's Quietus for Calendar Year 2007

Resolution R-55-08 Change Order Authorization through Email Process

Resolution R-56-08 Purchase of Property at 1002-1012 Saratoga Street, Newport

Transfers May 7, 2008

Claims May 7, 2008

Supplemental Claims May 7, 2008

Approved:

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STEVE PENDERY

Campbell County Judge/Executive

Attest:

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SUSAN A. PRATHER

Fiscal Court Clerk