

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

July 20, 2005

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, July 20, 2005, at 5:30 p.m. at the Fiscal Court Conference Room, 24 W. 4th Street, Newport, Kentucky.

In attendance at the meeting were:

COUNTY JUDGE/EXECUTIVE
STEVE PENDERY

COUNTY COMMISSIONERS:
DAVID OTTO
MARK HAYDEN

Robert Horine	County Administrator
Laurie Dowell	Assistant County Attorney
Jim Seibert	Fiscal Affairs Director
Keith Hill	Chief, Campbell County Police Department
Greg Buckler	Campbell County Jailer
Ken Knipper	Director, Office of Emergency Management
Peter Klear	Director, Planning & Zoning Department
Pat Dressman	Director, Human Services
Melissa Williams	Director of Administration
Sandra Mulligan	Fiscal Court Clerk

Commissioner Kenneth Rechten was absent.

The meeting was called to order at 5:30 p.m. by Judge Pendery. A moment of silence was called for by Judge Pendery, followed by the Pledge of Allegiance. Following roll call, a quorum was declared present.

Judge Pendery presented the minutes from the Fiscal Court meeting of July 6, 2005. It was moved by Commissioner Otto and seconded by Commissioner Hayden that the minutes of July 6, 2005 be approved. All voted "AYE" and the motion passed unanimously.

Judge Pendery next asked if there were any public officials or citizens in attendance at the meeting who desired to address the Court. There were none.

Judge Pendery then requested items of Old Business be brought before the Court. Ms. Williams reported that there were no items of Old Business to be presented at this meeting.

Judge Pendery next requested items of New Business be brought before the Court. Ms. Williams presented Resolution R-98-05, which she read by title and provided a summary to the Court for

its consideration. She stated that this Resolution authorizes the Judge/Executive to execute a Software Licensing Agreement with Dialogic Communications Corporation for the early warning siren encoder/controller. The equipment was recently obtained and this Agreement was inadvertently omitted from the original paperwork. She noted that Ken Knipper, Office of Emergency Management Director, was recommending the execution of the Agreement and was present to answer any questions. There being no further discussion, Commissioner Otto made a motion and Commissioner Hayden seconded, to approve Resolution R-98-05. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Resolution R-99-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution authorizes the granting of an Easement through public right-of-way of Upper Tug Fork Road to Mr. Brian Agee for the purpose of constructing a sewer drainage line to serve a single-family residence. Judge Pendery stated that this is way beyond their core of competence as a group of elected officials and asked Mr. Klear if this deed of easement is the right thing to be doing. Mr. Klear stated that it was. There being no further discussion, Judge Pendery made a motion and Commissioner Otto seconded, to approve Resolution R-99-05. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Resolution R-102-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution authorizes the transfer of funds in the FY 2005 MH/MR payroll tax fund accounts for Redwood School and Rehabilitation Center. She noted that Pat Dressman, Director of Human Services, was recommending the approval of the transfer and was present to answer any questions. Judge Pendery stated that he thought this was pretty straightforward. Ms. Dressman stated that the funds were already allocated and Redwood has had more senior and adults needing drug services and rehabilitation services. She stated that she has asked Redwood to check the accounts a little closer next time and try to not wait until the end of the Fiscal Year. There being no further discussion, Judge Pendery made a motion and Commissioner Hayden seconded, to approve Resolution R-102-05. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-103-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution authorizing the execution by the County Judge/Executive of a Master Agreement with the Kentucky Office of Homeland Security to apply for grant funds associated with an Emergency Operations Exercise to be held on August 4, 2005. This grant has a maximum reimbursement amount of \$450 and was received by our office on July 19, 2005 and must be returned by July 22, 2005. She noted that Ken Knipper, Office of Emergency Management Director, was present to answer any questions. Judge Pendery asked Mr. Knipper for any additional details on the grant. Mr. Knipper stated that the grant is for reimbursement for providing breakfast and lunch for up to 30 people, with a maximum reimbursement amount of \$450. There being no further discussion, Commissioner Otto made a motion and Judge Pendery seconded, to approve Resolution R-103-05. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to approve a 2.5% merit increase to Ptl. David Halfhill from Grade 12A, \$19.36/hr. to Grade 12B, \$19.48/hr., after Ptl. Halfhill's successful completion of six months at Ptl. Grade IV, per the FOP agreement. There being no further discussion, Judge

Pendery made a motion and Commissioner Otto seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to promote Ptl. John Tucker from Ptl. Grade II, Salary Grade 11D, \$19.39/hr to Ptl. Grade IV, Salary Grade 12B, \$19.84/hr, based on Ptl. Tucker's completion of seven years of service and in compliance with the FOP agreement. There being no further discussion, Judge Pendery made a motion and Commissioner Hayden seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to appoint Anna Smith to the position of Part-Time Pro Shop Assistant at the A.J. Jolly Clubhouse, with compensation set at \$7.29/hr., Grade 4A, said appointment effective July 20, 2005. This appointment is being made in order to replace someone who has recently resigned. Ms. Smith does the cleaning and other maintenance tasks at the Clubhouse. There being no further discussion, Judge Pendery made a motion and Commissioner Hayden seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to reappoint Nick Ellison to the Northern Kentucky Convention & Visitors Bureau for a three-year term, effective August 1, 2005 through July 31, 2008. Mr. Ellison has been recommended by the Northern Kentucky Hotel & Lodging Association. There being no further discussion, Judge Pendery made a motion and Commissioner Hayden seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to appoint James Callahan to the Northern Kentucky Transit Authority Board to fill the unexpired term of David Malone, who has resigned. The appointment is effective immediately through June 30, 2006. There being no further discussion, Judge Pendery made a motion and Commissioner Otto seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to appoint James Wietholter to the Central Campbell County Fire District Board to fill the unexpired term of Raymond Muench, Jr., who has resigned. The appointment is effective immediately through June 30, 2006. Mr. Muench served in the capacity of a property owner, and by KRS, the Judge/Executive with the Commissioners' approval, makes the appointment to fill the unexpired term. Judge Pendery noted that Mr. Wietholter was recommended to us by the Fire District, and was involved in the last property owner election and lost by two votes. There being no further discussion, Judge Pendery made a motion and Commissioner Hayden seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to reappoint Angela Siddall to the Campbell County Public Library Board of Trustees for a four-year term, effective October 1, 2005 through September 30, 2009. There being no further discussion, Judge Pendery made a motion and Commissioner Otto seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to appoint Rebecca Kelm to the Campbell County Public Library Board of Trustees for a four-year term, effective October 1, 2005 through September 30, 2009. Ms. Kelm will replace Joseph Jennings, who has asked not to be reappointed. Judge Pendery stated that he had talked with Mr. Jennings and he is not leaving because of any dissatisfaction, but believes that a little turnover on these Boards is a good idea. While he thought it would be useful if younger people presented themselves as possibilities for these Board appointments, he was happy with the people who were offered for appointment, and wanted the Court to know that he thinks the Board as a whole is doing good work, the Library is headed in the right direction, and J.C. Morgan is a great Director. There being no further discussion, Judge Pendery made a motion and Commissioner Otto seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Judge Pendery next requested reports from Staff. Mr. Horine, County Administrator, stated he had nothing items for action at this meeting, but wanted to call everyone's attention to the aerial drawing hanging on the Conference Room wall. This was obtained from the Kentucky Transportation Cabinet (KTC). The KTC has started giving us quarterly updates on the many projects they are involved in in Campbell County. This drawing shows possible alignments for the proposed loop road around Northern Kentucky University (NKU) from Three Mile Road at I-275 all the way down to Poole's Creek Road at the AA Highway. The drawing also indicates future alignment of Johns Hill Road as it is reconstructed between I-275 and Martha Layne Collins Boulevard, and a University Boulevard extension from Nunn Drive south to Johns Hill Road. These plans will basically complete the circulation system around the NKU campus and indicates the status of the KTC's work to date. Judge Pendery stated that the interesting thing about these projects is that there is some construction money that has not been identified before and is not going to be available in time for the Special Events Center at NKU, unless something changes. It would be hugely embarrassing to have a \$60 million facility come on line without the infrastructure to support it, especially when it is in process. Commissioner Hayden stated that he lives very close to this area and one of the things that jumps out at him is the area between I-275 and Martha Layne Collins Boulevard. That small section of Johns Hill road really needs improvement. It is not very safe; there is a tremendous amount of traffic in that area, both foot and auto. There is one area where there is a telephone pole that is nearly on the road, probably about 6 inches off the edge of Johns Hill Road. To have an events center located there without doing some improvement on Johns Hill Road, he believes would be a real mistake. He believes it is important to do this improvement to Johns Hill Road. He also stated that we need sidewalks or walking paths along Johns Hill Road. There is a walking path from Sentinel Point along Johns Hill Road that stops right at I-275, and then picks up again somewhere along the Johns Hill Road area, but there is a distance there where there is no sidewalk at all, and if runners, families walking, or people exercising, cross over I-275 to walk on Johns Hill Road, they have no sidewalk to walk on. If possible, it would also be wonderful for these communities to have some sidewalk over I-275. He believes it would be helpful to move forward with the improvements to Johns Hill Road and also see if we can get a sidewalk built over I-275. He plans to contact some legislators and he hopes others on the Court will do the same. Commissioner Otto stated that he had talked to Dennis Keane about this issue and Mr. Keane called the KTC about it, but has not heard back from them yet.

Judge Pendery then requested a report from the County Attorney's office. Ms. Dowell stated she had nothing further to report from the County's Attorney's office at this meeting.

Judge Pendery next requested reports from the Commissioners. Commissioner Otto reported that he and Jailer Greg Buckler had a meeting this afternoon with Circle Tail Services, and asked Mr. Buckler to report on what his thoughts were on the service. Mr. Buckler stated he thought the meeting was very positive. Circle Tail Services is a non-profit organization that rescues dogs and then works with prisons and jails to get the dogs trained for adoption to keep them from being put to sleep. They also train dogs to work with special needs people, such as blind, deaf and wheelchair bound people. In Campbell County, they will train these dogs to make them more adoptable. The dogs will come from the Campbell County Animal Shelter, who put approximately 300 animals to sleep per year. The program will reduce that number and increase the adoption ratio in the County. This is a win-win situation for everyone. The inmates at the jail will be given another skill to use to help them adjust them to civilian life once they get released. The County will experience the reduction in putting dogs down and increase adoptions. Circle Tail Services will receive the adoption fee for the dogs once they are trained. In return, Circle Tail Services will provide all the equipment necessary for training to the jail staff, such as harnesses, leashes, treats, food, etc. Mr. Buckler hopes to start with four dogs, putting 2 in each dormitory of the RCC, and looking to work up to about 8 or 10 dogs. Inmate training takes about 3 days, and it will be necessary for them to be dedicated. He believes there should be plenty of inmate labor for this, especially with the winter months coming up and the outside activities ceasing. The next step will be to set up a meeting with Lisa Bowman, the Animal Shelter Director, to work out some logistics of getting the dogs from her.

Commissioner Otto stated that Circle Tail Services has a number of levels of dogs that they train, between the dogs who are trained to be "more adoptable" which normally takes 6-8 weeks, and assistant dogs for people with disabilities, and facility dogs that would go to a qualified retirement center and basically be the pet dog for the retirement community. Circle Tail Services presently has one prison that is training 30 dogs, and the animal shelters in those counties were not putting any dogs to sleep, because they were all being trained and adopted through these programs. He stated that he knows people will want to know how they plan to pick an inmate to become a dog handler. The inmates will have to write an essay on why they want to do this. The inmates' backgrounds are checked to make sure they don't have any violent offenses, etc. There will be a primary handler and an assistant handler, and inmates who meet the criteria will be chosen for these positions. If the primary handler were sick one day or unable to train for other reasons, the assistant would then take over the training and care of the dog. Mr. Buckler added that they gave a tour of the jail with the dogs to see what kind of equipment would be needed and what the space requirements would be. Commissioner Otto stated that the outdoor area outside where the inmates eat, could be used for relief breaks for the dogs.

Commissioner Otto then stated that he would be attending a meeting on July 21, 2005 with the YMCA and the Library to discuss the swimming pool, and possible future buildings at Campbell County High School.

Commissioner Hayden stated that he had nothing further to report at this meeting.

Judge Pendery reported that a subgroup of the Criminal Justice Advisory Commission (CJAC) met on July 12, 2005 to discuss furthering the Pretrial Services conditional release program to reduce the jail population. He believes the program will be up and running by August 1, 2005.

Mr. Horine noted that in the last 24 hours there has been communication from Pretrial Services to the Judges, and they are continuing to work on the protocol to be developed. These are positive and constructive conversations taking place to get the program implemented. Judge Pendery stated that there will be better information more quickly through the program, and there will be supervision after the release, which makes the Judges more comfortable. It is hoped that this program could reduce the Class C and D inmate population by 30%-40%. He noted that the entire Committee would hold its next meeting on August 9, 2005.

Judge Pendery then announced that the next Mayors' and Administrators Meeting will be held on July 26, 2005, at 7:30 a.m., at the new Alexandria City Building.

Judge Pendery next requested a motion to change the Fiscal Court meeting dates from August 3 and 17 to August 10 and 24, 2005. There being no further discussion, Commissioner Otto made a motion and Commissioner Hayden seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Judge Pendery then requested a report from the Fiscal Director. Mr. Seibert presented Resolution R-100-05, which he read by title and provided a summary to the Court for its consideration. He stated that this Resolution authorizes the County Judge/Executive to execute an Agreement with Ohio-Kentucky-Indiana Regional Council of Governments for Fiscal Year 2006 in the amount of \$28,795. The cost this year is approximately \$600 less than last year. There being no further discussion, Judge Pendery made a motion and Commissioner Hayden seconded, to approve Resolution R-100-05.

Mr. Seibert next presented Resolution R-101-05, which he read by title and provided a summary to the Court for its consideration. He stated that this Resolution approves funding for TANK for Fiscal Year 2006 in the amount of \$3,593,670. These funds have already been approved in the budget. If additional funds are needed, the Court may have to act at a later date. Commissioner Hayden stated that he had a conversation with Mr. Horine today about this funding. Commissioner Hayden believes it is important for the County to review the calculation made by TANK every year. As he understands it, this calculation is very complex, with three major factors. TANK does the calculation for the County, and he thinks it is very important to review how that calculation has been done, the result of that calculation, and also get certification from the auditor that the calculation has been done in accordance with the agreement that Boone, Kenton and Campbell Counties have. Even a small mistake in that calculation can have a dramatic impact on Campbell County's budget. When the funding is over \$3 million, even a 10% mistake can have a huge impact on this County. He pointed out that in last year's calculation, a mistake was made, and even though small, it will be worthwhile to go back and check the calculations. Mr. Seibert stated that he would be happy to do the review of the calculation, since he put the calculation together for TANK for a number of years while he worked there. There being no further discussion, Commissioner Otto made a motion and Judge Pendery seconded, to approve Resolution R-101-05. All voted "AYE" and the motion passed unanimously.

Mr. Seibert then requested approval of the Claims being presented at this meeting. Assistant County Attorney Dowell advised that County Attorney Verst had reviewed the Claims and that they appeared to be appropriate. There being no further discussion, Commissioner Otto made a

motion that the claims be approved and paid. Judge Pendery seconded the motion. All voted "AYE" and the motion passed unanimously.

There being no further business to come before the meeting, it was moved by Commissioner Otto, seconded by Judge Pendery, that the meeting be adjourned. All voted "AYE" and the meeting was adjourned at 6:08 p.m.

Attachments:

Resolution R-98-05: Software Licensing Agreement for Early Warning Siren
Encoder/Controller

Resolution R-99-05 Easement for Purpose of Construction of Sewer Drainage Line

Resolution R-100-05: OKI Funding Agreement for FY 06

Resolution R-101-05: TANK FY 06 Funding

Resolution R-102-05: Transfer of MH/MR Funds for Redwood Programs

Resolution R-103-05: Kentucky Office of Homeland Security Grant

Claims: July 20, 2005

July 20, 2005 (Supplemental)

Approved:

/s/ Steve Pendery

STEVE PENDERY

Campbell County Judge/Executive

Attest:

/s/ Sandra L. Mulligan

Sandra L. Mulligan

Fiscal Court Clerk