

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

OCTOBER 18, 2017

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, October 18, 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
Marie Schenkel	Finance Director
Paula Spicer	Fiscal Court Clerk
Frank Spataro	Human Resources Director
Seth Cutter	Economic Development Manager
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 October 4, 2017 were presented. Commissioner Lampe made a motion to adopt the minutes as corrected, seconded by Commissioner Painter. Mr. Elberfeld explained that the corrections were to Bill Woody's name and a portion of text that was "hidden" and did not print out in the minutes. All voted "AYE" and the motion passed.

Judge Pendery administered the Oath of Office to Police Officer Timothy French. Chief Sorrell introduced Officer French and provided a background of his service in law enforcement. Judge Pendery then administered the Oath of Office to Police Officer Robert Houpp and Chief Sorrell introduced Officer Houpp and relayed his background in law enforcement. Officers French and Houpp introduced their family members that were present.

Judge Pendery then called the names of those who had signed in to address the Fiscal Court.

Jerry Gearding, Wilder, stated that he attended his first Fiscal Court meeting on September 20, 2017 because of his concern about increasing taxes. He was disappointed by how easy taxes can be raised with minimal input from the people affected. He believes that raising taxes is a last resort. Hard working families in Campbell County have to make hard decisions when costs go up and their incomes don't. Mr. Gearding stated that he appreciates Judge Pendery's explanation of the prevailing rate, but he still disagrees with raising taxes. He read the last statement from Judge Pendery's email. He then asked Judge Pendery and the Commissioners how spending money for two attorney's to fight a decision made by the Ethics Commission, who they appointed, is taking care of taxpayers' money. Judge Pendery stated that federal taxes go up every year without people knowing because federal income taxes are a percentage of the money that people earn. In the County's case if it does not manipulate the property tax rate, it does not get any more money. Rates eventually have to change due to inflation. He stated that property taxes are between 20-25% of the money taken in on a tax bill. All told, Campbell County spends less money per resident than the other counties and other full service governments in Northern Kentucky. Judge Pendery offered to meet with Mr. Gearding to review the budget. Mr. Gearding agreed that there is inflation but unfortunately, he and others don't have the ability to request a raise from their employer every year for inflation. He suggested that the County should look at its services and see where they can save money. Judge Pendery stated that the County does that every day and every year. The tax increase for the average property owner is between \$4-6. Most of the County's sources of revenue are capped practically or by law. Payroll tax, the County's largest source of revenue is capped by law, both the rate and the amount it applies to. The insurance premium tax is capped because everybody has the same amount. Mr. Gearding stated that that does not answer his question about why they are paying for two high-priced attorneys. Judge Pendery opined that the decision made by the Ethics Commission was not ethical and they will get to the bottom of it. He stated that the Fiscal Court has hired an attorney because it was reprimanded by the Ethics Commission who was appointed by the Fiscal Court. Mr. Gearding stated that this expense is hard to stomach when his taxes just were raised. There should be some way to resolve this without wasting taxpayers' money. Judge Pendery stated that it is not a waste of money to put right what is wrong. Mr. Gearding asked if they are looking at areas where they can save money. He went through all of the notes from previous meetings regarding taxes for the last 4-5 years and the County always takes the prevailing rate. He asked if they ever look for ways to save money and if taxes were ever lowered. Judge Pendery stated that there are hours of meetings with each department head going over every line item in the budget. It is a zero balance budget to start with and there has to be justification for each expenditure. Those things are not discussed in an open meeting; this is where final decisions are made. He again offered to review the budget with Mr. Gearding and explain the process. The budget process takes about half the year and everything is carefully considered. Mr. Gearding stated that he would like to sit down with Judge Pendery and go through the budget. He believes that we are at a point in government on all levels where it is OK to look at an algorithm and say this is what money is worth now we are going to raise taxes. Judge Pendery stated that the County does not do that. The County is given responsibilities by the State, the jail being the largest. The TANK tax was voted on by the people and the County oversees it. The County does not have as much latitude as people think it has to do the jobs it is legally obligated to perform; it is done as efficiently as possible and that is where the tax rate comes from. It does

not come from the notion that the County needs more money for some vague purpose; if more money is needed it is because expenses have gone up for the things that it needs to do. The County has a couple hundred dollars' worth of debt per resident due to sensible long-term debt. We pay for what we get. Mr. Gearding stated that he lives in Wilder and the City has no debt and one of the lowest tax rates in the County and the State. He would love to learn more about how money is spent.

Commissioner Lampe stated that Judge Pendery gave a good summary. Regarding the hiring of attorneys, it would not be appropriate to talk about a pending legal proceeding. If he did not believe that it was the right thing to do, he would not have voted the way that he did.

Commissioner Painter stated that the compensating rate provided by the State is to keep government on an even keel, not bring in more money than needed to operate based on inflation, property values and other factors. It brought in a little over \$300,000 more to the County this year. He stated that the State legislature has allowed the floor on the gas tax to go down meaning that the County's share of the State funding for roads, which must be maintained, has gone down about \$360,000 over the past few years. The County needs money to pave roads. Those are the types of things that are discussed with Department heads prior to approving a budget. The County must meet its responsibilities to keep its 170+ miles of roads maintained. This is one of the factors that was considered when taking the compensating rate this year. He has complained to the State legislators about the gas tax; he does not think that it should have been lowered.

Commissioner Lampe stated that Mr. Gearding alluded that it was easy to raise taxes. It is not an easy decision. The department heads are challenged every day to keep costs down. A budget is drafted and approved and once approved for essential and other services, it has to be funded. It is not an easy decision to raise taxes.

Commissioner Coleman asked Ms. Schenkel how the County finished the fiscal year. She responded that they ended the last fiscal year with about a \$2.4 million surplus. Commissioner Coleman asked that the minutes reflect that there was a \$2.4 million surplus last fiscal year. He stated that Mr. Gearding asked what input citizens have on the budget; to his knowledge, it is zero. Judge Pendery stated that anybody can come to the Fiscal Court and see the budget. He is willing to sit down and talk to them if asked. Commissioner Coleman asked how many came in and if a committee is formed to allow citizen input. Judge Pendery stated that the Fiscal Court is elected by the citizens; he hears from citizens regularly by email or in person. Concerning the comments about the attorneys for the Ethics Commission, Commissioner Coleman stated that the message is clear that if you do not agree you are sued. If the Ethics Commission makes a decision and it is not agreeable with the powers that be, they file a lawsuit against you.

Commissioner Coleman stated that the Fiscal Court could save money and make cuts as families do. If they cut 2%, that's 2 cents out of every dollar, he thinks that would be doable. The 911 fee is twice as much as it should be. He supported the radio system, and understands that the 911 fee is the primary source of revenue. He didn't have a problem with it being increased, but it was increased over 50%. The bill was \$4.8 million and \$200,000 was taken out of dispatch, so \$4.6 million was financed over 10 years. How much will be collected with the \$25 increase over ten years. Judge Pendery stated that it is enough to pay for the financing and the operating expenses. Commissioner Coleman stated that the budget for dispatch is \$1.8 million and now its getting an additional half million dollars per year. The payback is \$542,000 and the County is collecting an extra \$1 million per year. To him that means a half million more that taxpayers

are being billed for that they should not be. Judge Pendery stated that that has been debated before. It is anticipated that the rate being charged now will hold for a long period of time. Commissioner Coleman stated that he requested that it be put in the ordinance but they would not do it. Judge Pendery stated that they should be able to hold the rate for a long time, but he does not want to make promises when something could happen in the future to change it. It should stay static for a long period. Additionally, this Fiscal Court cannot obligate future Fiscal Courts to increase rates. In the meantime there has to be a financial document signed by an agency that does not raise the money. The Fiscal Court raises the money, gives it to the Dispatch Center who will sign documents that obligate its organization. Commissioner Coleman asked how much Dispatch has in reserves. Judge Pendery stated that it would be a couple hundred thousand dollars. Commissioner Coleman stated that it is \$275,000. He then asked how Campbell County's property tax rates compare to the other 119 counties. Judge Pendery stated that he is not sure, but it is not the highest in northern Kentucky and there are only about 10 counties that you can fairly compare Campbell County to. Mr. Gearding stated that he researched it and Campbell is fourth or fifth compared to other states and he can share the website he used. It is actually higher than Fayette County/Lexington which is surprising considering the government that they have. Judge Pendery stated that Mr. Gearding is talking about property taxes and if he were talking about the overall cost of government, they would be back to the chart and Campbell County is lower than others are. Commissioner Coleman asked if the insurance tax is 10%. Judge Pendery stated that it is 10% and there is an administrative fee associated with it. Mr. Gearing thanked them for answering his question and for their honesty.

There being no old business, new business was presented with Resolution R-93-17 by title. R-93-17 authorizes the Judge/Executive to execute a Memorandum of Agreement with the Kentucky Department for Local Government Office of Federal Grants for the AJ Jolly Park Campground bathhouse project. Commissioner Painter made a motion to adopt R-93-17, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Judge Pendery made a motion to appoint Kimberly Meek to the full-time position of Receptionist in the Administration Department effective October 29, 2017 with compensation set at Pay Grade 11, \$14.00 per hour or \$25,480 annually (total annual benefit cost of \$14,185). Commissioner Lampe seconded the motion. All voted "AYE" and the motion passed.

Judge Pendery made a motion to appoint Elisabeth Krummen to the full-time position of Animal Shelter Manager effective October 19, 2017 with compensation set at Pay Grade 17, \$58,560.84 annually or \$2,252.34 biweekly. Commissioner Lampe seconded the motion. Commissioner Painter asked if Ms. Krummen would be paid less. Mr. Elberfeld replied that she would be paid \$3,200 less than her predecessor was and that the new Receptionist would be paid about \$4,800 less than her predecessor saving about \$8,000. Commissioner Coleman pointed out that the previous employees in the positions were paid more because they were employed for a long time. He then asked how many people applied for this position. Mr. Elberfeld responded that there were two applicants. All voted "AYE" and the motion passed.

Resolution R-95-17 was read by title. R-95-17 authorizes updates to the Animal Shelter Assistant Manager position description, retitles the position to Lead Animal Technician and changes the pay grade of the position, and further authorizes corresponding amendments to the

Administrative Code. Judge Pendery made a motion to adopt R-95-17, seconded by Commissioner Lampe. Commissioner Painter asked if the new position would be paid less. Mr. Elberfeld stated that since the position has never been filled they do not have an exact salary, but based on estimates they think that it will save about \$5,000. The Fiscal Court will realize a \$13,000 savings from the last three agenda items. Commissioner Coleman stated that that would pay for the attorneys. All voted “AYE” and the motion passed.

Judge Pendery made a motion to authorize staff to advertise, interview and hire a Lead Animal Shelter Technician. Commissioner Lampe seconded the motion. All voted “AYE” and the motion passed.

Judge Pendery made a motion to appoint Alexis Yockey to the vacant part-time Kennel Technician position effective October 23, 2017 with compensation set at Pay Grade 10, \$13.25 per hour. Commissioner Lampe seconded the motion. All voted “AYE” and the motion passed.

Judge Pendery made a motion to appoint Matthew Elberfeld to the Northern Kentucky Regional Communication System Board effective immediately. Commissioner Lampe seconded the motion. All voted “AYE” and the motion passed.

Judge Pendery made a motion to accept the resignation of Jody L. Robinson from the Transit Authority of Northern Kentucky (TANK) Board of Directors. Commissioner Lampe seconded the motion. All voted “AYE” and the motion passed.

Judge Pendery made a motion to appoint Gina L. Rittinger to the Transit Authority of Northern Kentucky Board of Directors to fill the unexpired term of Jody Robinson effective October 19, 2017 through June 30, 2019. Commissioner Lampe seconded the motion. All voted “AYE” and the motion passed.

Commissioner Coleman stated that he received a call about the upcoming waste collection event from a man that has a dump truck full of building materials. Apparently, there is some problem with that; he has to unload it he can't just dump it because the last time the County's front loader got a flat tire from a nail. Ms. Serra stated that people are supposed to unload their own materials at the waste collection. The County does not have the capacity to have someone back up a hydraulic dump truck to the bins provided by Rumpke. She, the Road Supervisor, Assistant Road Supervisor and Allyn Reinecke have all talked to this man and tried to give him alternatives so that he can still bring his waste materials. He can still bring the materials but cannot back up his dump truck and dump it in the bins. If there are enough people available when he arrives, they can help him unload it. Commissioner Coleman asked if there will be inmates to help. Ms. Serra said that there will be and she has told him that they'd help if people were available.

Judge Pendery made the following announcements:

The Campbell County Fall Clean-Up will take place on October 20 and 21, 2017 from 8am to 5pm both days at the following locations: Pendery Park, Campbell County Police Department and Campbell County Transportation Center. Residents may drop off trash, appliances, car

batteries, electronics (except televisions), tires including rims, furniture/mattresses, propane tanks up to 20 pounds and scrap metal. The following items will not be accepted: paint, liquids, televisions, or CRT computer monitors. Information is available on the County's website at www.campbellcountyky.org or by calling 859-547-1866.

The Campbell County Animal Shelter Golf Outing to raise funds for the Shelter will be held on Sunday, October 22, 2017 at A J Jolly Golf Course. Registration and lunch from 11am to 12:30pm with play starting at 1pm.

The Campbell County Fiscal Court and Mayors will hold their quarterly meeting on October 24, 2017 at 6pm in the Fiscal Court Chambers.

The annual Halloween Spooktacular will be held at A J Jolly Park on Saturday, October 28, 2017 from 2 to 5pm. There is a suggested donation of \$5 per vehicle, but the event is free. There will be costume contests, bounce houses, games, hayrides, food, drinks, and fall crafts. Plus, kids 12 and under can trick-or-treat along a Friendly Trail the entire time! Call (859) 547-3681 for more information.

The Northern Kentucky Household Hazardous Waste Collection event will take place on Saturday, November 4, 2017 from 9am to 2pm at UC Health Stadium, 7950 Freedom Way, Florence. The following items will be accepted: electronics (limit of 2 televisions per vehicle), chemicals, pesticides, corrosives, flammables, waste oil, bulbs, batteries, ink/toner cartridges, paint and anti-freeze. More information made be found at www.nkyhhw.org or by calling 859-334-3151.

Marie Schenkel requested a motion to authorize staff to advertise for bids to replace the golf course irrigation pump. The pump system is at the end of its useful life and is in need of replacement. This expenditure has been deferred for several years. Motion was made by Commissioner Lampe, seconded by Commissioner Painter. Ms. Schenkel advised that \$25,000 has been budgeted for the purchase. Judge Pendery stated that this expenditure helps save money because water is pumped from the lake to irrigate the golf course. All voted "AYE" and the motion passed.

A motion was requested to accept the bid of Professional Lawn Care, Inc. for snow removal services at County-owned facilities in the North County and the bid of Nathan Heim for snow removal services at County-owned facilities in the South County during the 2017-2018 winter season. Ms. Schenkel pointed out that the bids were looked at in aggregate including trip charges. In aggregate, these are the two lowest bidders. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to accept the bid of Len Riegler Blacktop, Inc. for resurfacing of Blossom Lane from US 27 to the Southgate city limits. Motion was made by Commissioner Lampe, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-94-17 was read by title. R-94-17 declares certain County-owned personal property as surplus and authorizes the Finance Director to sell or otherwise dispose of such property. A

list of surplus property is attached to the resolution. The property has been reviewed by County staff and managers and determined to be unusable. The County has had good success with selling surplus property on govdeals.com. 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 advertise for bids for radio equipment for the Office of Emergency Management in connection with the new 800Mhz radio system. Fifty percent of the \$85,291.50 cost will be reimbursed through a grant. These radios are being bid separately from the other radios needed for the project because the grant funds must be spent by December 31, 2017. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-92-17 was read by title and summary given. R-92-17 authorizes the Judge/Executive to execute a contract in the amount of \$329,144.88 with the Campbell County Board of Education for Fiscal Year 2018 for the provision of bus transportation for parochial school students. Judge Pendery made a motion to adopt R-92-17, seconded by Commissioner Lampe. Commissioner Coleman requested that the vote on R-92-17 be delayed. He stated that there are students at St. Peter and Paul School living on the east side of the AA Highway that the buses will not pick up. The parents of these students pay school taxes like everybody else. This contract is an almost \$80,000 increase from last year with no additional service. Ms. Schenkel stated that the increase is related to the number of students reported. Commissioner Coleman stated that this is a big increase and the students deserve transportation. Ms. Schenkel stated that St. Peter and Paul School used to provide their own busing and the Fiscal Court paid for it. Commissioner Coleman stated that the School got rid of its bus. Judge Pendery stated that over the years there have been discussions between the Board of Education and St. Peter and Paul. He believes that the Campbell County buses do not travel in the areas where these students live. Commissioner Coleman stated that the cost to the County school system is being passed on to the Fiscal Court and the Fiscal Court is paying for it. The County has been fortunate to be reimbursed 100% by the State in the last year or two. Commissioner Coleman stated that Campbell County Schools want the St. Peter and Paul students brought to a central location to be picked up. Ms. Schenkel stated that the bus will not go door-to-door, but rather pick up children along existing routes. Judge Pendery stated that he will see to it that St. Peter and Paul leadership has talked to Campbell County Schools. Commissioner Coleman stated that the Diocese is aware of the issue. If this contract is voted on tonight, why would Campbell County Schools make any effort to pick up the students. Ms. Schenkel suggested that an addendum could be made later to add services. Commissioner Coleman stated that if the contract is signed the deal is over. Judge Pendery suggested that if this is not an immediate need, they could hold it over to the next meeting. He will make sure that the two schools talk about this.

A motion was requested to approve budget transfers as presented for October 18, 2017. Ms. Schenkel stated that the transfers do not change the overall budget they only reallocate certain funds. Motion was made by Commissioner Painter, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Ms. Schenkel requested a motion to approve the claims and supplemental claims as presented for October 18, 2017. She wished to exclude check #220092 for \$970 to the Gambrel law firm that

is pending further review by the County Attorney. 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 with the exception noted by Ms. Schenkel, 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 6:35 p.m.

Attachments:

Resolution R-93-17 Memorandum of Agreement-KY Department for Local Government
Resolution R-95-17 Update Animal Shelter Assistant Manager Position Description
Resolution R-94-17 Authorize Disposal of Surplus Property
Budget Transfers Dated October 18, 2017
Claims and Supplemental Claims Dated October 18, 2017

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk