

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

October 7, 2015

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, October 7, 2015, 7:00 p.m. at the Campbell County Courthouse located at 8352 East Main Street, Alexandria, Kentucky.

COUNTY JUDGE/EXECUTIVE:
STEVE PENDERY

COUNTY COMMISSIONERS:
CHARLIE COLEMAN
TOM LAMPE
BRIAN PAINTER

Steve Franzen	County Attorney
Matt Elberfeld	County Administrator
Paula Spicer	Fiscal Court Clerk
Marie Schenkel	Finance Director
Colonel Craig Sorrell	Campbell County Police Department
Lori Zombek	Human Resources Director

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

Judge Penderly 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 special meeting of September 17, 2015 were presented. Motion was made by Commissioner Coleman, seconded by Commissioner Lampe to approve the minutes. All voted "AYE" and the motion passed.

Judge Penderly invited comments from the public.

Dan Hull noted that there is an ordinance on the agenda to amend animal impounding procedures. He stated that there are certain state laws regarding impounding which the County has never admitted exists. The Fiscal Court and County police should follow the law if they expect people to follow the law. The State law is very specific regarding animals running at large.

J R Roth, Winters Lane, Cold Spring, stated that the order of the agenda is questionable – the agenda does not list everything that is going to happen at the meeting or is not very clear. He then stated that the public does not have a chance to review the meeting minutes for accuracy before they are approved. Mr. Roth questioned when the public gets to talk about an item on the

agenda. He stated that the resolution for use of Fiscal Court property was listed on the agenda, but now it is not. Judge Pendery and Mr. Elberfeld stated that the resolution had been removed from the agenda. Mr. Roth stated that he came to the meeting specifically to talk about that resolution. He believes that the public should be able to comment on every agenda item. Mr. Roth then asked if the budget is based on the (property) tax amount as discounted, without the discount or the amount including penalty. Judge Pendery stated that they have a good idea based on payments made from prior years. Mr. Roth then asked what percentage of tax bills are paid by people vs. a mortgage company/bank. Mr. Elberfeld stated that he can get the information from the Sheriff's office. Commissioner Coleman stated that, before being elected he attended Fiscal Court meetings and he would know from the agenda what was being discussed, but he didn't understand it. It was suggested to him that the minutes be made available in draft form so that they can be corrected or added to. He thinks that that is a good idea. Judge Pendery stated that if the minutes were a transcript of the meeting it would be many pages long. Therefore the minutes of the meeting are condensed somewhat. Mr. Roth stated that if somebody is going to be quoted or put in the minutes it should be reviewable by the public. Judge Pendery stated that he believes that almost always when somebody has something to say, they are given the opportunity to say it regardless of the order of the agenda. The Fiscal Court does want people to talk about what is on their mind in the beginning of the meeting. He further stated that people are given the opportunity to speak during the course of the meeting. The format of the meeting is good in that respect and still leaves the chair the option of doing things a little different.

Kevin Gordon, Wilder, regarding the resolution pulled from the agenda which set out rules and guidelines for use of facilities by other organizations, asked if there is a set of guidelines currently in place. Judge Pendery stated that he doesn't expect anything to change for those currently using the facilities. It was determined that it is a good idea to have a policy in writing for those requesting to use the room. Mr. Gordon asked if a draft of the policy will be available for public input before it is adopted, similar to the way that the used property ordinance was adopted. Judge Pendery stated that when it is ready for discussion and is on the agenda, there will be opportunity for input. Mr. Gordon suggested that there should be participation from the public before the guidelines are drafted and presented to the Fiscal Court. Judge Pendery stated that when it is ready, the resolution will be provided to the Fiscal Court members who are elected by the people to make these decisions, for their consideration before the meeting. The resolution and guidelines will be made public at a meeting. Mr. Gordon recalled how the used property ordinance was drafted and adopted. Mr. Franzen stated that the used property ordinance was fully vetted. If past experience is any indication, the public will be able to talk about the policy when it is presented. Judge Pendery stated that if anything in the guidelines affected groups currently using the facilities they would be told in advance.

J R Roth stated that there is an item on the agenda named "authorize local cooperation agreement with SD1". He lives on Winters Lane and SD1 provides no services to Winters Lane but they want a rain tax. The water runs down the hill into a State-owned creek and into the Ohio River. It doesn't say on the agenda what this agreement with SD1 is. Mr. Roth stated that he doesn't know what the agreement is about, but he wants to know if it affects him before the Fiscal Court approves it. He again stated that the agenda is not very clear. Paul Hehman stated that the agenda is available on-line and if there are questions, he is sure that somebody at the Fiscal Court would be happy to answer them.

Paul Hehman, Chief of Campbell County Fire District 6 (Melbourne) announced that the District did not raise its rates this year. The district pays for ALS, BLS, fire service, insurance. They will take in a little over \$100,000 this year. It has been 6-7 years since they had a tax increase. The rate is \$1.75. District 6 is the only volunteer department in the County with about 25 people on the roster. Mr. Hehman listed the members of the Board of Trustees. He stated that all of the District's information is available on-line. The volunteer firefighters must meet the same qualifications as paid firefighters but they have three years to qualify. In addition they must participate in 30 hours of training each year to stay certified.

Clarence Martin, Chairman of the Central Campbell County Fire District Board of Trustees, relayed some statistics about the department: its budget is \$2.5 million, there are 17 full time firefighters and paramedics and they make about 2,400 runs per year. The department serves the Cities of Highland Heights, Cold Spring and Crestview, the surrounding unincorporated areas, and serves Northern Kentucky University. He stated that the tax rate this year is \$1.63, meaning a house valued at \$100,000 pays \$163.00 in tax – up 3 cents from last year's rate. Mr. Martin stated that due to the number of runs they need more money to hire additional personnel. They hire interns from Cincinnati State and Gateway who work 120 hours per month in exchange for department paying their tuition. In addition, the department has about 10-12 volunteers. The department was all volunteer until about ten years ago. The tax increase nets an additional \$22,000 for the department to help upgrade equipment. Mr. Martin explained their presence at events at NKU's arena as required by State law. The department does get reimbursed for their participation at these events. Mr. Martin explained how members are appointed and elected to the Board of Trustees. Elections are held the last Saturday in June each year; tax-payers living in the Fire District are eligible to vote.

Judge Pendery advised that State statute requires Special Purpose Governmental Entities to present their tax rate for the year to the Fiscal Court. He pointed out that the Fiscal Court has no authority to change the rate as set by the Boards of Directors of these agencies.

Paula Spicer presented old business beginning with a second reading of Ordinance O-10-15 by title and summary. O-10-15 adopts the 2015 S-31 Supplement to the Code of Ordinances of the County of Campbell, Kentucky. Commissioner Painter made a motion to adopt O-10-15, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Ordinance O-11-15 was presented for a second reading by title and summary. O-11-15 amends Section 90.06 "Animal Control; Impounding Procedures" of the Campbell County Code of Ordinances to comply with Kentucky Revised Statutes. Judge Pendery made a motion to adopt O-11-15, seconded by Commissioner Coleman. Mr. Franzen cited the applicable Statute as KRS 525.125-525.130. He further explained that the County's Ordinance was more restrictive than State law regarding impounding and adoption of animals after impoundment. This amendment makes the ordinance exactly the same as State statute. All voted "AYE" and the motion passed.

New business was then presented with a first reading of Ordinance O-12-15 by title and summary. O-12-15 updates the official list of County-maintained roads to provide that County maintenance of Murnan Road (CR1350) shall terminate at a dead end for a length of approximately 14,200 feet and to remove reference to a previous name of "partial Trapp

Murnan". The changes are administrative only and will reflect the area of actual County maintenance. No vote was taken on this first reading.

A motion was requested to advance Jacob Daley from Police Officer Grade 1 to Police Officer Grade 2 with salary adjustment from \$19.23 per hour to \$19.81 per hour effective October 12, 2015 in accordance with the current Fraternal Order of Police working agreement. Motion was made by Judge Pendery, seconded by Commissioner Coleman. All voted "AYE" and the motion passed.

A motion was requested to advance Robert Latham from Police Officer Grade 1 to Police Officer Grade 2 with salary adjustment from \$19.23 per hour to \$19.81 per hour effective October 12, 2015 in accordance with the current Fraternal Order of Police working agreement. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to advance Donald Dornheggen from Police Officer Grade 3 to Police Officer Grade 5 with salary adjustment from \$20.60 per hour to \$23.14 per hour effective October 9, 2015 in accordance with the current Fraternal Order of Police working agreement. Motion was made by Judge Pendery, seconded by Commissioner Coleman. All voted "AYE" and the motion passed.

A motion was requested to accept the resignation of Rob Allender, Road Maintenance Specialist III effective October 15, 2015. Motion was made by Judge Pendery, seconded by Commissioner Lampe. Ms. Zombek explained that Mr. Allender left the County for a career opportunity; he will be taking a supervisor's position. An exit interview was held and Mr. Allender made a glowing report of his employment with the County. All voted "AYE" and the motion passed.

A motion was requested to authorize staff to advertise, interview and hire for a Road Maintenance Specialist I. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to appoint Brandon Bowlds to the Part Time IT Technician position with compensation set at pay grade 8, \$13.00 per hour effective October 19, 2015. Motion was made by Judge Pendery, seconded by Commissioner Painter. Commissioner Coleman stated that the pay scale is actually \$12.86 – a 14 cents difference. All voted "AYE" and the motion passed.

Matt Elberfeld advised that the next series of personnel items have to do with restructuring of the Administration, Human Resources and Finance Departments. Over the last few months, staff has been looking at positions, where resources are needed or not needed. As a result, the following actions create or eliminate positions, change titles and job duties. Mr. Elberfeld stated that the net change is a reduction of full time employees by 1.25 resulting in an annual savings of about \$50,000.

Resolution R-128-15 was read by title and summary given. R-128-15 eliminates the position of Accounting Clerk and authorizes corresponding amendments to the Administrative Code. Judge

Pendery made a motion to adopt R-128-15, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-129-15 was read by title and summary given. R-129-15 eliminates the position of Assistance Program Specialist effective January 23, 2016 and authorizes corresponding amendments to the Administrative Code. Judge Pendery made a motion to adopt R-129-15, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-130-15 was read by title and summary given. R-130-15 adopts an Administrative Assistant (HR/Finance) position assigned to the Human Resources Department, adopts a position description and authorizes corresponding amendments to the Administrative Code. Judge Pendery made a motion to adopt R-130-15, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to authorize staff to advertise, interview and hire for an Administrative Assistant (HR/Finance). Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed

Resolution R-131-15 was read by title and summary given. R-131-15 updates the position description of the Human Services Program Manager to include additional essential functions and authorizes corresponding amendments to the Administrative Code. Judge Pendery made a motion to adopt R-131-15, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to increase the compensation of Allyn Reinecke, Human Services Program Manager to \$45,000 annually effective October 18, 2015. Motion was made by Judge Pendery, seconded by Commissioner Painter. Commissioner Coleman stated that this is about a \$6,000 raise, over a 15% raise, for this position. He thinks that is too much. He realizes that the position is given additional responsibility, but he doesn't think that it warrants a \$6,000 raise. In the spirit of cooperation he suggested maybe \$2,000. He will oppose this motion. Judge Pendery stated that there used to be three full time people doing the essential duties that Allyn is performing at a cost of \$114,000. The Fiscal Court used to get a \$40,000 administrative fee from the Health District resulting in a net cost of \$74,000. Over the years it has been streamlined to where we have one employee doing the work at \$45,000. He stated that staff did compare the position to comparable ones in other counties. Kevin Gordon asked if this was the same person that during the last legislative session while on county time and using county computers sent out what amounted to lobbying efforts regarding an issue that was before the legislature. Judge Pendery stated that on county time and county computers during every legislative session he has sent out things that amount to lobbying for certain issues that he thinks are in the best interests of our community. Mr. Roth stated that none of these personnel items are on the agenda. Judge Pendery stated that these are employment matters. For example, a position was eliminated – you would not want an employee to find out about it by reading an agenda that is posted in the hallway. Commissioner Coleman stated that the Fiscal Court needs to treat its employees fair and pay a fair salary. He has voted for raises in the past, he just opposes 15%. He stated that an employee was given a \$2,000 raise a couple of months ago for supervising additional employees. He is using that as a precedent. He has nothing against this person, it is just business.

Commissioner Painter stated that in private industry he moved from a project level position to a project manager position and got a 45% raise in one year. There is a difference when a person is going to lead, manage and be responsible for making a budget which is what this person is going to step up to. Private industry will go way beyond a 15% raise for a person who is highly useful to the organization. Judge Pendery stated that this is a personal judgment and everybody has different approaches to management. He does not criticize any of them for their opinions on this issue. Commissioners Lampe and Painter and Judge Pendery voted "AYE", Commissioner Coleman voted "NAY" and the motion passed.

Resolution R-132-15 was read by title and summary given. R-132-15 eliminates the position of Finance Manager from the Finance Department authorized position list, authorizes the addition of a Senior Accountant position and amends the Administrative Code accordingly. Judge Pendery made a motion to adopt R-132-15, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-133-15 was read by title and summary given. R-133-15 eliminates the position of Seasonal Building Maintenance Assistant from the Building Maintenance Department authorized position list, authorizes the addition of a full time Maintenance Specialist position and amends the Administrative Code accordingly. Judge Pendery made a motion to adopt R-133-15, 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 Maintenance Specialist. Motion was made by Judge Pendery, seconded by Commissioner Lampe. Commissioner Painter complimented Matt Elberfeld and Kim Serra for working on these personnel changes – it saves about \$50,000 per year in personnel costs. Deficiencies have been identified and it is now to the point that we are taking advantage of the efficiencies that were built into the system to adjust the staff to that. He stated that it is always sad to lose a person, but two other people in much needed areas are being taken from part time to full time. The budget will be better for this with \$50,000 that can be used otherwise. Commissioner Coleman concurred with Commissioner Painter and also thanked Lori Zombek. All voted "AYE" and the motion passed.

A motion was requested to appoint Kimberly Halbauer to the Tri-ED Board of Directors for a three-year term effective October 8, 2015 through October 7, 2018. Motion was made by Judge Pendery, seconded by Commissioner Lampe. Commissioner Lampe stated that he has known Ms. Halbauer for a while; she has had a very successful career at Fifth Third and was recently promoted. She is very active in the community and with several different organizations. He stated that she is a true professional and will be a great addition to the Board. Commissioner Coleman stated that he will not oppose the recommendation of Judge Pendery. He stated that Ms. Halbauer is involved with United Way, Gateway College, a promotion at Fifth Third and one or two other organizations and therefore questioned how much time she will be able to give to Campbell County. He respects Judge Pendery's recommendation but he hopes that she can give the County and Tri-ED the time it needs. Judge Pendery stated that Ms. Halbauer has served on the Tri-ED Board for years, serving as chair. All voted "AYE" and the motion passed.

Matt Elberfeld presented Resolution R-126-15 by title and summary. R-126-15 authorizes the Judge/Executive to execute an Interlocal Cooperation Agreement with Sanitation District No. 1 for a storm water cost-share project on Upper Tug Fork Road. Mr. Elberfeld explained that there has been flooding on Upper Tug Fork Road due to undersized culverts. The Highway Department has agreed to pay for 80% of the project. The total project cost is estimated at \$167,785.85. The Sanitation District will pay for the rest of the project under their storm water management program in the amount of \$45,075.85. The vast majority of this project will be paid for by other entities. Judge Pendery made a motion to adopt R-126-15, seconded by Commissioner Lampe. Mr. Elberfeld advised that this project will replace culverts at two locations on Upper Tug Fork Road. All voted "AYE" and the motion passed.

Resolution R-134-15 was read by title and summary given. R-134-15 authorizes the Judge/Executive to execute an Interlocal Cooperation Agreement with the City of Silver Grove to provide professional police services to the City. Mr. Elberfeld stated that the City of Silver Grove has been discussing options for police services – they currently have a one person police department. They have decided to disband the department and join with the County. He and Chief Sorrell have been working with Mayor Bedel and the City Council and believe that they have come to terms that are fair and benefit both parties. He explained the options that are built into the agreement giving the City the ability to move between the three options during the 4-year life of the contract. He then explained how they arrived at the costs. Mr. Elberfeld acknowledged Mayor Bedel in the audience. Judge Pendery made a motion to adopt R-134-15, seconded by Commissioner Coleman. All voted "AYE" and the motion passed.

Commissioner Coleman announced that he had another document regarding Chase Law School. He attended a Chamber event at which the new Chairman gave a sermon on regionalism. The document that he has was presented to the Chamber Consensus Committee to be made a priority to the legislature to fund renovations to the Kenton County Fiscal Court building with the intent of giving it to Northern Kentucky University (NKU) for Chase Law School. He stated that after reading it, he determined that it also mentions informatics and other programs. Regionalism doesn't sound too good when you take from one county and give it to another. He stated that a bipartisan committee has been formed to monitor this issue and has met three times; he encouraged all to get on board. Kenton County wants to take part of Campbell County's crown jewel – Northern Kentucky University. He is opposed to it and hopes that everybody is. He stated that the reason given for moving Chase Law School is that it would open up more classroom space on campus. He was told by Terry Mann, a member of the Board of Regents, that they can't afford to hire any more teachers with the shortfall in the budget. He also recalled a recent article about how upset NKU faculty is about their salaries. This move would be devastating to the City of Highland Heights.

Commissioner Coleman stated that there was an article in the River City News about the Cincy eastern by-pass. He encouraged people to consider it. The by-pass will help economic development in Campbell County much more than a new Brent Spence Bridge.

Commissioner Lampe stated that early in this Commission term there were a lot of key personnel moves, including a new County Administrator, Assistant County Administrator, Finance Director and HR Director. He appreciates their evaluation of the County's operation and making

the decision to make it leaner and more efficient. It is very difficult for someone to lose their job. He gets asked often by constituents what is being done to operate leaner, and this is a good example. He knows that they will continue to analyze the situation. He thanked them for their work.

Commissioner Painter stated that the KY536 study is continuing. An on route and off route alternative through Kenton County are being considered. The next step will be property acquisition. He will stay informed of the progress. Another meeting is planned in November. The renovation of this road will be a great benefit to Campbell County once it is completed.

Judge Pendery announced that the Northern Kentucky HomeFest featuring Manhattan Harbour in Dayton, Kentucky is underway and will continue through October 18th.

Judge Pendery announced that the Campbell County Fall Clean Up will take place on October 23, 24 and 25, 2015.

Judge Pendery announced that the Campbell County Parks and Recreation Department will host the 2nd annual Halloween Spooktacular at A J Jolly Park on October 24th from 1:00-8:30pm.

Judge Pendery announced that the Campbell County Fiscal Court and Mayor's meeting will take place on October 27th at 6:00pm in the Fiscal Court Chambers, County Administration Building, 1098 Monmouth Street, Newport, Kentucky.

Judge Pendery announced that the Northern Kentucky Household Hazardous Waste Collection event will be held on October 17 from 9:00am-2:00pm at the UC Health Stadium, 7950 Freedom Way, Florence, Kentucky.

Marie Schenkel presented Resolution R-127-15 by title and summary. R-127-15 authorizes the Judge/Executive to execute a contract with the Campbell County Board of Education for Fiscal Year 2016 for the provision of bus transportation of parochial school students in consideration of \$283,674.91. The contract amount is a little less than last year. Ms. Schenkel advised that last year the Fiscal Court was reimbursed about 96% of the contract cost from the State. Judge Pendery made a motion to adopt R-127-15, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Ms. Schenkel then requested a motion to approve the claims as presented for October 7, 2015. County Attorney Steve Franzen stated that he has reviewed the claims and determined that they all appear appropriate. Motion was made by Commissioner Lampe, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Coleman made a motion to adjourn, seconded by Commissioner Painter. All voted "AYE" and the meeting adjourned at 8:27 p.m.

Attachments:

Ordinance O-10-15 Adopt Code of Ordinances Supplement

Ordinance O-11-15 Amend Animal Impounding Procedures
Ordinance O-12-15 Update List of County Maintained Roads
Resolution R-128-15 Eliminate Position of Accounting Clerk
Resolution R-129-15 Eliminate Position of Assistance Program Specialist
Resolution R-130-15 Adopt Administrative Assistant (HR/Finance) Position
Resolution R-131-15 Update Human Services Program Manager Position Description
Resolution R-132-15 Eliminate Finance Manager Position and Add Senior Accountant Position
Resolution R-133-15 Eliminate Seasonal Building Maintenance Assistant Position and Add Full
Time Maintenance Specialist Position
Resolution R-126-15 Agreement with Sanitation District No. 1 for Storm Water Project
Resolution R-134-15 Agreement with City of Silver Grove for Police Services
Resolution R-127-15 Contract with Campbell County Schools for Bus Transportation Services
Claims October 7, 2015

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk