

CAMPBELL COUNTY FISCAL COURT MINUTES

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, March 5, 2003, at 7:00 p.m. at the Alexandria Courthouse, Main Street, Alexandria, Kentucky. In attendance at the meeting were:

**COUNTY JUDGE/EXECUTIVE
STEVE PENDERY**

**COUNTY COMMISSIONERS:
DAVID OTTO
WILLIAM VERST
KENNETH RECHTIN**

Robert Horine	County Administrator
Jim Seibert	Fiscal Director
Justin Verst	County Attorney
Chief David Sandfoss	Campbell County Police Department
Tracy Eads	Campbell County Detention Center Admin. Ass't.
Peter Klear	Planning & Zoning Director
Darlana Barnes	Housing Director
Melissa Williams	Director of Administration
Sandra Mulligan	Fiscal Court Clerk

The meeting was called to order at 7:00 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 February 19, 2003. It was moved by Commissioner Otto and seconded by Commissioner Rechtin that the minutes of February 19, 2003 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 presented Resolution R-26-03 for the Court's consideration, which was read by title and a summary given. She explained that this resolution authorizes the Judge/Executive to execute an agreement with Newport Central Catholic High School for the non-exclusive use of Morscher Sports Complex. There being no further discussion, Commissioner Verst made a motion and Commissioner Rechtin seconded, to approve Resolution R-26-03. All voted "AYE" and the motion passed unanimously.

Judge Pendery then requested items of New Business be brought before the Court. Ms. Williams stated that the first order of New Business was a Proclamation proclaiming the Month of March 2003 as Severe Storms Preparedness Month in Campbell County. She noted that the Proclamation urges citizens and businesses to take appropriate action to protect their families and property. There being no further discussion, Commissioner Otto made a motion and Commissioner Rehtin seconded, to approve the above-mentioned Proclamation. All voted "AYE" and the motion passed unanimously.

The next order of business was a Proclamation proclaiming the weeks of March 22, 2003 through April 6, 2003 as Campbell County Clean-Up Weeks. Ms. Williams noted that the Proclamation urges citizens to participate in the Clean-Up Weeks by disposing of all solid waste properly in order to eliminate illegal dumping. She advised that on April 4, 5 and 6, Campbell County will sponsor drop-off locations throughout the County where citizens can bring large items or items not easily disposed of. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Verst seconded, to approve the above-mentioned Proclamation. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented for first reading by title Ordinance O-02-03 and provided a summary to the Court. She stated that this ordinance rezones 162 acres of property located at the northeast side of Old State Road #4 from A-1 to R-1C at the request of Dennis MacDonald. She advised that no action was necessary on the ordinance at this meeting and that it would be acted upon at the next Fiscal Court meeting on its second reading. She stated that Peter Klear, Planning & Zoning Director, was present at the meeting to answer any questions. County Attorney Verst noted that the third paragraph of the draft Ordinance should be deleted, as it was a repetition of the first paragraph. Commissioner Rehtin requested Mr. Klear to address the elimination of flag lots brought up by Northern Kentucky Area Planning Commission in its recommendation. Mr. Klear explained that the recommendation speaks to an anomaly that exists as part of a zone change application. When a zone change is requested of the Planning Commission, they are supposed to make their decision based on the uses permitted in that zone and if the proposed zone change is consistent with the permitted uses in that zone and the comprehensive plan. Flag lots are a development issue and are typically handled in the site plan review stage. However, the way the zoning ordinance is written, staff's interpretation is that review of the zone change must also include review and recommendation on the development plan issues on the plat. In this instance, the developer noted that they were willing to eliminate some flag lots, but they wanted to retain other flag lots. Mr. Klear advised that some of the flag lots would be removed, particularly several along the northern boundary of the site to allow for connection to future development.

Ms. Williams then presented for first reading by title Ordinance O-03-03 and provided a summary to the Court. She stated that this ordinance amends the Campbell County Code of Ordinances regarding spaying and neutering of dogs and cats adopted by the Campbell County Animal Shelter, and amending Ordinance O-16-2000 to reflect that surgical alteration must occur after the pet reaching 6 months of age, rather than 8 months of age. She advised that no action was necessary on the ordinance at this meeting and that it would be acted upon at the next Fiscal Court meeting on its second reading.

Ms. Williams next presented Resolution R-32-03, which she read by title and provided a summary to the Court for its consideration. She explained that this resolution acknowledges the execution of a Memorandum of Agreement by the Judge/Executive and County Attorney to utilize funding from the Kentucky Cabinet of Natural Resources and Environmental Protection to pay for the disposal of tires. There being no further discussion, Commissioner Rechtin made a motion and Commissioner Otto seconded, to approve Resolution R-32-03. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-33-03, which she read by title and provided a summary to the Court for its consideration. She explained that this resolution approves the execution of an Amended Memorandum of Agreement and Right of Entry with the Kentucky Transportation Cabinet relative to the relocation of U.S. 27 and the impact of that relocation on A.J. Jolly Park. She noted that a similar resolution was passed at the Court's February 5, 2003 meeting, but that additional discussions took place with parties to the agreement and the Memorandum of Agreement had been amended as a result of those discussions. She also advised the Court that negotiations will continue as to the amount the State will pay the County for the parcel of property they will be taking. There being no further discussion, Commissioner Verst made a motion and Commissioner Rechtin seconded, to approve Resolution R-33-03. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested consideration of the Court for a motion to appoint Michael A. Kuykendall to the position of Information Technology Manager, effective March 10, 2003, with compensation set at Grade 16K, \$62,381 annually. Judge Pendery made the motion, and Commissioner Rechtin seconded to appoint Michael A. Kuykendall to the position of Information Technology Manager. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested consideration of the Court for a motion to appoint Ptl. Tina M. Straman to the temporary appointment of Sergeant 1, effective March 1, 2003, with compensation set at Grade 13A, \$42,026. Judge Pendery made the motion, and Commissioner Rechtin seconded to appoint Ptl. Tina M. Straman to the temporary appointment of Sergeant 1. All voted "AYE" and the motion passed unanimously.

Judge Pendery next requested reports from Staff. Mr. Horine, County Administrator, advised that he had no items to bring before the Court at this meeting.

Judge Pendery then requested a report from the County Attorney. Attorney Verst stated he had nothing to report.

Judge Pendery next requested reports from the Commissioners. Commissioner Verst thanked Ken Schultz and the Road Department for the admirable job they have done in clearing the roads for the citizens in an effort to keep them safe. He also commented on the fine job state contractors were doing on state roads in the County.

Commissioner Otto extended best wishes for a speedy recovery to Mrs. Mary Bunning who recently had surgery.

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

Judge Pendery welcomed Jim Seibert, the new Fiscal Director, noting his previous association with TANK. He then reported that a new Environmental Justice Committee at OKI, whose agency handles transportation planning for Ohio, Kentucky and Indiana, had formed a policy regarding the handling of public interaction on this subject, which will be discussed at a series of public meetings. Two of those meetings will be in Northern Kentucky, the first on March 27 from 4:00 p.m. to 7:00 p.m. at the Northern Kentucky Community Action Commission, and the second on March 28 from 3:00 p.m. to 6:00 p.m. at the Kenton County Library. He also reported that the Campbell County Library Board will be having its groundbreaking for the new branch being built across from Newport High School on Friday, March 7 at 10:00 a.m.

Judge Pendery then reported on his recent trip to Washington, D.C. with the Chamber of Commerce. Along with representatives of the education community, and the business and political communities, he attended meetings in Washington to lobby the State's elected delegation on many issues. Twelve meetings were held with Congressional offices, both House and Senate, and also with Administrative personnel in Washington. He noted that these meetings were of great value for the needs of the Campbell County area.

Judge Pendery then requested a report from the Fiscal Director. Mr. Seibert thanked the Court and its employees for the warm welcome he has received in the short time he has been in his new position. He advised the Court that a motion to accept a bid to paint the Alexandria Courthouse was being tabled, in order to allow for some remaining issues to be resolved.

Mr. Seibert then requested consideration of the Court for a motion to accept golf material bids on behalf of Campbell, Kenton and Boone Counties as presented to the Court. He explained that these bids were for all supplies needed at the golf courses. Commissioner Rehtin made the motion, and Commissioner Verst seconded, to accept the golf material bids described above. All voted "AYE" and the motion passed unanimously.

Mr. Seibert next requested approval of the Budget Transfers presented to the Court that would allow the Jail to purchase computers. Commissioner Rehtin stated that he had concerns about transfers being made in budgetary items that were in excess of what was budgeted. He explained that line items where there were overages and where monies were being moved from are items that can be scaled back in the coming year's budget process. There being no further discussion, Commissioner Rehtin made a motion to approve the Budget Transfers, and Judge Pendery seconded the motion. All voted "AYE" and the motion passed unanimously.

Mr. Seibert then requested approval of the Claims being presented at this meeting. County Attorney Verst advised that he had reviewed the claims and that they appeared to be appropriate. There being no further discussion, Commissioner Rehtin 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 Rehtin, seconded by Commissioner Verst, that the meeting be adjourned. All voted "AYE" and the meeting was adjourned at 7:27 p.m.

Attachments:

Proclamation: Sever Storms Preparedness
Proclamation: Clean-Up Weeks
Resolution R-26-03: Agreement regarding use of Morscher Field Sports Complex
Resolution R-32-03: Memorandum of Agreement to apply for grant funds to pay for disposal of tires
Resolution R-33-03: MOA and Right of entry Agreement between Campbell County Fiscal Court and Kentucky Department of Transportation
Ordinance O-02-03: Amendment of Zoning Code from A-1 to R-1C
Ordinance O-03-03: Amendment to Code of Ordinances regarding spaying and neutering of Animal Shelter adopted pets
Budget Transfers: March 5, 2003
Claims: March 5, 2003
March 5, 2003 (Supplemental)

Approved:

STEVE PENDERY
Campbell County Judge/Executive

Attest:

Sandra L. Mulligan
Fiscal Court Clerk