

CAMPBELL COUNTY FISCAL COURT MINUTES

A special (regular meeting rescheduled) meeting of the Campbell County Fiscal Court was held on Tuesday, November 18, 2003, 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
WILLIAM VERST**

Commissioner Rehtin was absent.

Robert Horine	County Administrator
Jim Seibert	Fiscal Director
Justin Verst	County Attorney
Keith Hill	Assistant Chief, Campbell County Police Department
Peter Klear	Director of Planning & Zoning
Ken Knipper	Director of Office of Emergency Management
Darlana Brown	Director of Housing
Melissa Williams	Director of Administration
Sandra Mulligan	Fiscal Court Clerk

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 regular Fiscal Court meeting of November 5, 2003 and from the Technology Triangle Special Meeting of October 28, 2003. It was moved by Commissioner Otto and seconded by Commissioner Verst that the minutes of the Fiscal Court meeting of November 5, 2003 and the minutes of the Technology Triangle Meeting of October 28, 2003 be approved. All voted "AYE" and the motion passed unanimously.

Judge Pendery then stated that at the November 5, 2003 meeting at which Mr. Carl Hogle addressed the Court, questioning whether the readdressing project produced a delay in the response of an emergency unit dispatched to his residence on October 25, 2003. Judge Pendery advised that the Court had investigated the situation and had received information from the people who were on duty at the time, and also have a tape recording of the emergency call, which indicates there was no delay of any kind in the emergency vehicles getting to Mr. Hogle's residence on October 25, 2003. He stated that, while the Court continues to share sympathy with

Mr. Hogle and his family for the loss of his daughter, neither the Court, nor the readdressing project, were responsible for their loss.

Judge Pendery then asked if there were any citizens or public officials present who would like to address the Court. There were none.

Judge Pendery next requested items of Old Business be brought before the Court. Ms. Williams then presented Ordinance O-20-03 for second reading and passage consideration. She explained that this Ordinance amends the text of the Official Zoning Ordinance, Article X, Section 10.24(B), relating to the Accessory Uses in the I-2 Industrial Zone. She noted the Planning & Zoning Commission recommended adoption of the Ordinance, and that Peter Klear, Planning & Zoning Director, was present to answer any questions. There being no further discussion, Commissioner Verst made a motion and Commissioner Otto seconded, to approve Ordinance O-20-03. All voted "AYE" and the motion passed unanimously.

Judge Pendery then requested items of New Business be brought before the Court. Ms. Williams presented Resolution R-128-03, which she read by title and provided a summary to the Court for its consideration. She stated that this resolution acknowledges the execution of a Master Agreement Invoice with the Kentucky Department of Military Affairs, Emergency Management Division, for a Community Emergency Response Team (CERT) grant. The grant will be for approximately \$1,900 and the documentation to receive the grant was necessary to be signed by November 14, which Judge Pendery complied with. She noted that Ken Knipper, Office of Emergency Management Director, was present to answer any questions. There being no further discussion, Commissioner Verst made a motion and Commissioner Otto seconded, to approve Resolution R-128-03. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-129-03, 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 renewal agreement with the between the Campbell County Extension Center and the Campbell County Recreation Department to approve the exchange of mowing services for 2004 at Lakeside Commons and A.J. Jolly Park. She stated that Dennis Reller, Recreation Manager, and D.J. Scully of the Extension Center, had done a comparative analysis on the previous year's figures for this contract, and found an approximate \$80 difference between what was paid another contractor to mow at Lakeside Commons and what the Court's services cost it. Both Mr. Reller and Mr. Scully are recommending the renewal of this contract. There being no further discussion, Commissioner Otto made a motion and Commissioner Verst seconded, to approve Resolution R-129-03. All voted "AYE" and the motion passed unanimously.

Ms. Williams presented Resolution R-130-03, 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 an agreement for snow and ice maintenance with the City of Melbourne on an on-call basis for Reinert Drive, and railroad crossings at Anderson Lane, Melbourne Avenue and Lincoln Avenue. There being no further discussion, Commissioner Verst made a motion and Commissioner Otto seconded, to approve Resolution R-130-03. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Resolution R-131-03, which she read by title and provided a summary to the Court for its consideration. She explained that this resolution authorizes the County Judge/Executive to enter into an agreement with the Kentucky Transportation Cabinet, Department of Rural and Municipal Aid, to perform bituminous resurfacing on various County roads. The roads to be resurfaced would be Gunkel 1, Gunkel 2, Lower Lick Branch, and Blangey Road. There being no further discussion, Judge Pendery made a motion and Commissioner Otto seconded, to approve Resolution R-131-03. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to adjust the annual compensation of William Birkenhauer, Sergeant Grade II, with the Campbell County Police Department, from Grade 13D (\$46,160) to Grade 14D (\$47,345), effective November 17, 2003, in accordance with the current 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.

Judge Pendery next requested reports from Staff. Mr. Horine presented Resolution R-126-03, which he read by title and provided a summary to the Court for its consideration. He explained that this resolution authorizes the County Judge/Executive to execute a contract with Brandstetter Carroll, Inc. to provide services related to the new County Administration Building and other County facilities. He noted that the Court is exploring a number of moves of County offices to accommodate the expanding needs of the County, including the Detention Center, and in order to determine the feasibility of those moves, architectural assistance was needed. The contract would also involve Brandstetter Carroll, Inc. working with the Administrative Office of the Court to make sure the County's plans can accommodate the District Court facilities. The fee for Brandstetter Carroll's services would be \$19,000, and the work is expected to be completed within 10 weeks. There being no further discussion, Commissioner Otto made a motion and Commissioner Verst seconded, to approve Resolution R-126-03. All voted "AYE" and the motion passed unanimously.

Judge Pendery then requested a report from the County Attorney. Mr. Verst reported that he had received a few calls from city officials on the keg law ordinance and had resolved their concerns. He also reported that he recently received an e-mail draft of the sexually oriented businesses license. He will review and process any changes necessary. Commissioner Verst asked if Mr. Verst had received any feedback from citizens on the keg law. Mr. Verst stated that all feedback he had received had been positive.

Judge Pendery next requested reports from the Commissioners. Commissioner Verst stated that since the meeting happened to fall on his wife's birthday and their wedding anniversary, he would like to wish his wife a very happy birthday and acknowledged the fact that she has successfully cohabitated with him for 25 years. He thanked her for her patience, love and devotion for 25 years. Everyone congratulated Commissioner Verst.

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

Judge Pendery then reported that Governor Patton had come to the Campbell County Senior Center on November 10, 2003 to present a check in the amount of \$429,000, which proceeds will fund a fitness addition to the Senior Center. He also reported that Fiscal Court and Extension Center's Holiday Program and visit with Santa Claus would be held at the Extension Center office on Friday, December 5, 2003 at 7:00 p.m.

Judge Pendery then requested a report from the Fiscal Director. Mr. Seibert presented Resolution R-127-03, which he read by title and provided a summary to the Court for its consideration. He stated that this Resolution authorizes the payment of \$8,836.20 to the Northern Kentucky Regional Hazmat/WMD Response Unit, Inc. for Fiscal Year 2003. He explained that this amount was a per capita rate contribution of \$.10 per person in the County for the operation of the Hazmat and Weapons of Mass Destruction response unit. He noted that Ken Knipper, Office of Emergency Management Director, was present to answer any questions. Mr. Knipper explained that this was seed money and hopes this payment will not be necessary in a couple of years. He also stated that the County has a contract with Greater Cincinnati Hazmat for services. There being no further discussion, Judge Pendery made a motion and Commissioner Verst seconded, to approve Resolution R-127-03. All voted "AYE" and the motion passed unanimously.

Mr. Seibert then requested approval of the Budget Transfers being presented at the meeting. He stated that these were transfers from one account to another to cover budgeted expenses. There being no further discussion, Commissioner Otto made a motion to approve the budget transfers. Commissioner Verst seconded the motion. All voted "AYE" and the motion passed unanimously.

Mr. Seibert next requested approval of the Claims being presented at this meeting. Mr. Verst advised that he 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. Commissioner Verst 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 Verst, seconded by Commissioner Otto, that the meeting be adjourned. All voted "AYE" and the meeting was adjourned at 5:45 p.m.

Attachments:

Ordinance O-20-03: Amendment to Text of Official Zoning Ordinance, Article X, Section 10.24(B)

Resolution R-126-03: Facilities Contract with Brandstetter Carroll, Inc.

Resolution R-127-03: Authorization of Hazmat/WMD Funds

Resolution R-128-03: Agreement with Kentucky Department of Military Affairs, Emergency Management Division for CERT Grant

Resolution R-129-03: Agreement with Extension Service and Recreation Department to Provide Mowing and Trimming for Environmental Center and Lakeside Commons for 2004

Resolution R-130-03: Agreement with City of Melbourne for Snow and Ice Removal

Resolution R-131-03: Agreement with Kentucky Transportation Cabinet, Department of Rural
and Municipal Aid for Road Resurfacing

Budget Transfers: November 18, 2003

Claims & Transfers: November 18, 2003

November 18, 2003 (Supplemental)

November 18, 2003 (General Fund Election Claims)

Approved:

STEVE PENDERY

Campbell County Judge/Executive

Attest:

Sandra L. Mulligan

Fiscal Court Clerk