

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

JUNE 19, 2019

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, June 19, 2019 at 5:30 p.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
GEOFF BESECKER
TOM LAMPE
BRIAN PAINTER

Steve Franzen	County Attorney
Matt Elberfeld	County Administrator
Paula Spicer	Fiscal Court Clerk
Kim Serra	Assistant County Administrator
Marie Schenkel	Finance Director
Colonel Craig Sorrell	Police Chief
Cindy Minter	Planning and Zoning Director
Mary Stowers	Human Resources Director

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 June 5, 2019 were presented. Motion was made by Commissioner Lampe seconded by Commissioner Painter to approve the minutes. All voted "AYE" and the motion passed.

Cindy Minter, Planning and Zoning Director, gave an overview of the proposed zoning map amendment changing an approximate 8.75 acres from a Residential Rural Estate (R-RE) to Agricultural One (A-1) zone with a related conditional use permit to operate a kennel. The conditional use permit has already been approved by the Planning Commission and a condition of that permit is that the zone change would go forward. The subject area is located at the intersection of Upper and Lower Tug Fork Roads. She showed a map of the parcels involved

and talked about the surrounding sites. The entire area is zoned R-RE with a number of agricultural districts around the property. Ms. Minter stated that the owner requested the zone change in order to operate a kennel – a pole barn and chain link fence will be part of the operation. Both the metal pole barn and fence are permitted uses in both zones. The Planning Commission decided on a number of conditions that the applicant must agree to comply with. The Planning and Zoning Department checks annually to determine that the owner complies. She described the kennel and the conditions of operation; the applicant has agreed to abide by all conditions. Ms. Minter then showed photos of the pole barn, kennels, single family home on the property and surrounding homes. Mr. Elberfeld stated that this is a first reading. Judge Pendery confirmed with Ms. Minter that there is no limit on the number of dogs somebody can have in the unincorporated county. Commissioner Lampe thanked Ms. Minter for her thorough report – he had a number of questions which she has answered. He also thanked the Planning Commission for their diligence. Commissioner Painter echoed those comments. He then asked how many people she has dealt with in the past who have bought property and started a kennel without going through the proper process. Ms. Minter stated that there have been several cases that were concerning. This applicant is different in that he welcomes inspections and limitations, he is professional and seems to know what he is doing. The dogs at this kennel are valuable and are being highly trained. She explained that the difference between this and somebody who just wants to have eight dogs, is that this is a commercial operation. Commissioner Besecker stated that he met with the applicant, talked to Ms. Minter and some neighbors about the request. He was impressed with the facility; it is a legitimate operation.

Judge Pendery began to call on people who had signed in to address the Fiscal Court.

Jim Pfister stated that there are a number of ordinances on streets/sidewalks, parking regulations and zoning changes. He asked what the changes are and why the amendments are needed. Judge Pendery stated these can be explained as they come up on the agenda.

Teresa Martin stated that she is a neighbor of the Marksberrys and she is in favor of their application for a zone change for their kennel where they will train police dogs.

Rebecca Swafford stated that she supports the Marksberrys' application also. She does not think that it will generate more traffic or noise. There is only one house in the neighborhood that does not have a dog.

Ken Swafford stated that he and his family live across the street from the Marksberrys and he is in favor of their application. He stated that it seems like a professional business and they are going about this the right way by getting the proper zoning etc. The dogs are well treated.

Gilbert Marksberry, the applicant, stated that he has been a police officer for 22 years and a K-9 officer for about four years. He described the layout of the kennels and the fence which has an anti-climb feature. He stated that the dogs are not allowed to intermingle and will only be let outside one at a time. Mr. Marksberry invited the Fiscal Court and staff including Lisa Krummen, Animal Shelter Director, to visit at any time. Gillian Marksberry added that there is almost always somebody at home and talked about how they became interested in opening the kennel.

Annette Restle, a neighbor of the Marksberry's, expressed her support for the requested zone change.

Paula Spicer presented old business with a second reading of Ordinance O-05-19. O-05-19 amends Chapter 95 of the Campbell County Code of Ordinances concerning excavations of streets and sidewalks. Commissioner Painter made a motion to adopt O-05-19, seconded by Commissioner Lampe. Mr. Elberfeld explained the changes to the ordinance updating the process for road cut permits. These permits are usually issued to utility companies when they have to excavate streets or sidewalks. All voted "AYE" and the motion passed.

Ordinance O-06-19 was presented for a second reading. O-06-19 amends Section 72.03 of the Campbell County Code of Ordinances to prohibit parking in the fire lane and cul-de-sacs of certain County roads. Commissioner Lampe made a motion to adopt O-05-19, seconded by Commissioner Besecker. Mr. Elberfeld stated that this ordinance impacts four roads in the new section of Parkside Subdivision. The subdivision's HOA petitioned the Fiscal Court to prohibit parking on one side of the street. It was determined that parking should be prohibited on the fire lane side of the street (where hydrants are located) for safety reasons. All voted "AYE" and the motion passed.

New business was next on the agenda beginning with a first reading of Ordinance O-07-19. O-07-19 adopts a new list of County maintained roads. Mr. Elberfeld stated that there are no material changes to the list of roads maintained by the County or the road names, the amendment simply makes the wording consistent. Due to the number of changes, it was easier to adopt a new list. There may be additional changes later this year. No vote was taken on the first reading of this ordinance.

Resolution R-61-19 was read by title. R-61-19 authorizes the County Judge/Executive to execute an Interlocal Agreement for professional police services with the City of Silver Grove, Kentucky. Silver Grove Mayor Neal Bedel stated that the City is very excited about this arrangement. It is the best thing that they have done and want to continue the relationship with the County. Commissioner Painter made a motion to adopt R-61-19, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-64-19 was read by title. R-64-19 amends Resolution R-31-19 to delete authorization for the contract with the Kentucky Transportation Cabinet in the amount of \$454,960 for design phase of the US 27 (South Monmouth Phase I) Project. Mr. Elberfeld explained that this corrects an administrative error by the KY Transportation Cabinet. Contracts for two projects were sent to the Fiscal Court but one was meant for the City of Newport. This action amends the previous resolution to clean it up. Both projects are still on track. Commissioner Besecker made a motion to adopt R-61-19, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Ordinance O-08-19 was presented for a first reading. O-08-19 updates the official zoning map for unincorporated Campbell County to rezone an approximate 8.75 acres located at the intersection of Upper Tug Fork and Lower Tug Fork Roads in Campbell County, Kentucky, from

Residential Rural Estate (R-RE) to Agricultural One (A-1). Judge Pendery stated that this is a first reading and the ordinance will be acted on at the July 17 meeting. Commissioner Besecker stated that he spoke to other neighbors of the proposed zone change site who were not at this meeting and they were all in favor of the change and the conditions.

O-09-19 was presented for a first reading. O-09-19 amends the text of the Official Zoning Ordinance for unincorporated Campbell County, Kentucky modifying police, fire and utility stations to conditional uses within the Residential One A (R-1A) zone and adding related definitions. Mr. Elberfeld stated that at the last meeting the Fiscal Court passed a resolution asking the Planning Commission to look at this change. Police, fire and utility stations were listed as an accessory use in the R-1A zone which required a single-family house on the property. The Planning Commission held a public hearing and recommends that these become conditional uses in the R-1A zone. This will eliminate the requirement of having a single-family house on the property. No vote was taken on the first reading of this ordinance.

Resolution R-65-19 was read by title. R-65-19 adopts a revised compensation schedule for non-represented staff of the Fiscal Court and authorizes corresponding amendments to the Administrative Code. Mr. Elberfeld stated that this resolution updates pay scales. Currently there are 12 pay grades which will be reduced to 8 pay grades. Judge Pendery made a motion to adopt R-65-19, seconded by Commissioner Besecker. All voted "AYE" and the motion passed.

A motion was requested to authorize pay rates for fiscal year 2020 for non-represented employees of the Fiscal Court effective June 23, 2019 and pay rates for employees covered by the AFSCME working agreement and for employees covered by the Fraternal Order of Police working agreement effective July 7, 2019. Motion was made by Judge Pendery, seconded by Commissioner Besecker. All voted "AYE" and the motion passed.

Resolution R-66-19 was read by title. R-66-19 amends Chapter 3 "Personnel Policies and Procedures" and Chapter 4 "Purchases and Contracts" of the Administrative Code and acknowledge the annual review of the Campbell County Administrative Code. Judge Pendery made a motion to adopt R-66-19, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to designate Allyn Reinecke as the Solid Waste Coordinator for Campbell County. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-67-19 was read by title. R-67-19 authorizes updates to existing position descriptions and position titles and authorizes corresponding amendments to the Administrative Code. Judge Pendery made a motion to adopt R-67-19, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-68-19 was read by title. R-68-19 authorizes the Judge/Executive to enter into a Service Agreement with St. Elizabeth Health Care for Employee Assistance Program Services. Judge Pendery made a motion to adopt R-68-19, seconded by Commissioner Lampe. Mr. Elberfeld explained that these services are provided free to employees. The services include up

to eight confidential counseling sessions per employee. The Agreement also provides management training. The cost is \$28 per employee per year and is well worth the cost. He stated that under certain circumstances the EAP will come on-site to meet with employees. All voted "AYE" and the motion passed.

A motion was requested to reassign three part-time golf attendants to seasonal golf associate positions effective July 1, 2019 at the same pay rate of \$11.10 per hour. Motion was made by Judge Pendery, seconded by Commissioner Besecker. All voted "AYE" and the motion passed.

A motion was requested to appoint Brock Crabtree to a vacant Seasonal Parks and Recreation Maintenance Worker position effective June 20, 2019 at an hourly rate of \$11.10. Motion was made by Judge Pendery, seconded by Commissioner Besecker. All voted "AYE" and the motion passed.

A motion was requested to reappoint Christopher Fuchs to the Fire District One Board of Trustees for a three-year term effective July 1, 2019 through June 30, 2022. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to reappoint Chuck Pettit to the Central Campbell Fire District Board of Trustees for a three-year term effective July 1, 2019 through June 30, 2022. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to reappoint Paul T. Verst to the Kenton County Airport Board for a four-year term effective July 1, 2019 through June 30, 2023. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to reappoint Tim Brannock to the Campbell County Cable Board for a three-year term effective July 1, 2019 through June 30, 2022. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to reappoint Dr. Maggie Whitson to the Campbell County Extension District Board for a three-year term effective June 30, 2019 through June 29, 2022. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to appoint Tim Tracy to the Campbell County Extension District Board for a three-year term effective June 30, 2019 through June 29, 2022. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to appoint Stephen E. Halpin to the Alexandria Fire District Board of Trustees as an elected property owner to fill the unexpired term of Doug Neyman. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Steve Franzen reported that John Sayers, former Silver Grove Police Chief, is retiring July 1 from the Campbell County Sheriff's Office. He has served the community in law enforcement

for a long time and will be missed. Mayor Bedel stated that Mr. Sayers served 56 years in the City of Silver Grove.

Commissioner Besecker gave an update on projects that he has talked to the State road department about. Due to lack of funds, the State is reducing grass trimming along roads from 3 to 2 times this year. The rain has caused some delays in their work this summer.

Commissioner Besecker thanked the Campbell County Road Department employees who went out late last Friday to cut/trim around Racetrack Road and US27 near the park in anticipation of the Country Fest Music Festival.

Commissioner Besecker reported that he went to look at the slide on KY 9. A lot of work has been accomplished, but there is much to be done. Duke Energy has moved power lines/poles. They are unsure when the road will be open, but hope to have two lanes open the end of this week or early next, depending on the weather.

Commissioner Lampe announced that he and Mayor Bedel won the Newport Italianfest Bocce Tournament last week.

Judge Pendery announced that the Campbell County Fiscal Court will hold a special meeting on Friday, June 28, 2019 at 9:30am in the Fiscal Court Chambers.

Judge Pendery announced that the Fiscal Court regular meeting of July 3, 2019 has been cancelled.

Judge Pendery announced that the Sun Valley Music Festival will take place on Saturday, July 13, 2019 from 4:00-11:00pm at AJ Jolly Park. More information is on the County's website at www.campbellcountky.gov.

Judge Pendery then introduced Mary Stowers the new Human Resources Director for Campbell County and welcomed her to the Campbell County family. He has known Ms. Stowers for years. Ms. Stowers stated that she is thrilled to be working for the County.

Marie Schenkel requested a motion to authorize staff to advertise for bids to resurface the following roads beginning in the fall of FY 2020: Rifle Range Road, Plum Creek Road and mill and fill various locations on Poplar Ridge and Visalia Roads. Staff will apply to the Kentucky Transportation Cabinet to use FLEX funds on the Rifle Range Road and Plum Creek Road projects. 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 join Boone and Kenton Counties to advertise for bids for single axle dump trucks and one-ton dump trucks. Motion was made by Commissioner Lampe, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to accept the bid of Lonkard Construction in the amount of \$268,382 for replacement of the Rifle Range Road culvert (ELR 46). Bids were opened on June 6, 2019 and

staff recommends accepting the sole bid of Lonkard Construction. Motion was made by Judge Pendery, seconded by Commissioner Painter. Mr. Elberfeld stated that after this, staff hopes to be able to repave Rifle Range Road in the fall. All voted “AYE” and the motion passed.

A motion was requested to accept the bid of Smith Construction in the amount of \$279,796 for pier wall/drilled shaft retaining wall installation on Dodsworth Lane. Bids were opened on June 11, 2019 and staff recommends accepting the low bid of Smith Construction. This project is included in the FY 2020 budget. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted “AYE” and the motion passed

A motion was requested to accept the following bids for Road Department Materials for FY 2020:

- Hot Mix Bituminous Concrete – Barrett Paving Materials, Inc., Bluegrass Paving, Inc., Eaton Asphalt Paving Co. Inc. and Mago Construction
- Culvert Pipe – Consolidated Pipe & Supply Company, Inc., Kentucky Supply, Inc. and Viking Supply, Inc.
- Stone – Hilltop Companies-Hilltop Stone, LLC

Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

Resolution R-62-19 was read by title. R-62-19 renews a contract with the Kentucky Association of Counties for Workers’ Compensation Insurance Coverage effective July 1, 2019 through June 30, 2020. The annual premium is \$251,590; about a 5 percent discount from last year. Commissioner Painter made a motion to adopt R-62-19, seconded by Commissioner Besecker. All voted “AYE” and the motion passed.

Resolution R-63-19 was read by title. R-63-19 renews a contract with the Kentucky Association of Counties All Lines Fund for property and liability insurance coverage effective July 1, 2019 through June 30, 2020. The annual premium for FY20 is \$488,619; a slight increase due to the addition of vehicles and the increased value of vehicles. Judge Pendery made a motion to adopt R-63-19, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

Ms. Schenkel then requested a motion to approve the claims as presented for June 19, 2019. County Attorney Steve Franzen stated that he has reviewed the claims and supplemental claims and determined that they all appear appropriate. Commissioner Lampe made a motion to approve the claims, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Besecker made a motion to adjourn, seconded by Commissioner Painter. All voted “AYE” and the meeting adjourned at 6:43 pm.

Attachments:

Ordinance O-05-19	Amend Code Chapter 95: Streets and Sidewalks
Ordinance O-06-19	Amend Code Chapter 92: Parking Regulations
Ordinance O-07-19	Adopt County Maintained Road List

Resolution R-61-19	Agreement with Silver Grove for Police Services
Resolution R-64-19	Amend R-31-19 Contract with KY Transportation Cabinet
Ordinance O-08-19	Amend Zoning Map
Ordinance O-09-19	Amend Zoning Text
Resolution R-65-19	Adopt Revised Compensation Schedule
Resolution R-66-19	Amend and Acknowledge Review of Administrative Code
Resolution R-67-19	Update Positions Descriptions
Resolution R-68-19	Agreement for Employee Assistance Program Services
Resolution R-62-19	Contract for Workers Compensation Insurance
Resolution R63-19	Contract for Property and Liability Insurance
Claims	Dated June 19, 2019

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk