

CAMPBELL COUNTY FISCAL COURT MINUTES

APRIL 17, 2019

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, April 17, 2019 at 5:30p.m. at the Campbell County Administration Building, Fiscal Court Chambers, 1098 Monmouth Street, Newport, Kentucky.

Cable Access was present to film the public hearing and meeting.

Preceding the opening of the Fiscal Court meeting, a public hearing was held at 5:30 p.m. to receive public comment on the application of Juanita Barrett, Barretts Investments 1, LLC for an Entertainment Permit for Barrett's Pour House located at 9406 Alexandria Pike, Alexandria, KY. Present at the hearing were:

Steve Pendery, Judge/Executive
Geoff Besecker, County Commissioner
Tom Lampe, County Commissioner
Brian Painter, County Commissioner
Steve Franzen, County Attorney
Paula Spicer, Fiscal Court Clerk
Kim Serra, Assistant County Administrator
Marie Schenkel, Finance Director
Colonel Craig Sorrell, Police Chief
Frank Spataro, Human Resources Director

Judge Pendery called to order the public hearing for the Entertainment Permit application. County Attorney Steve Franzen stated that the Permit was applied for on February 21, 2019. Based on the Campbell County Police Department investigation report and the lack of opposition, the County Attorney's office recommends granting the Entertainment Permit. Hearing no objections or comments, Mr. Franzen recommended to Judge Pendery that the Entertainment Permit for Barrett's Pour House be granted. Judge Pendery stated that the Fiscal Court accepts the recommendation and will act on it during the regular meeting.

A second public hearing was held to obtain public comment on a Recreational Trails Program Grant application. Kim Serra, Assistant County Administrator stated that the purpose of the public hearing was to obtain public comment on a Recreational Trails Program grant application for funding that will be used to resurface a portion of the walking trails in A J Jolly Park. A one-mile section of the walking trail is in poor condition. The grant may pay for it to be replaced with a four-inch base and a one and one-half overlay. People are still able to walk on the trail, but biking and other uses may not be safe. The portion to be repaired runs from the Environmental Education Center to the entrance of A J Jolly Park. It is heavily used for walking, jogging, biking, inline skating and strollers. It also provides access to other amenities in the Park. She advised that the estimated project cost is \$92,000. The grant is an 80/20 matching grant requiring the Fiscal Court to contribute about \$18,000 if the grant is awarded. Commissioner Besecker clarified that this is just to pursue a grant. If a grant is secured, there

will be opportunity to discuss what the bids look like for the project. This evening is just approval of the application. There being no further comments or questions, the public hearing was closed.

The regular meeting was called to order at 5:36 p.m. by Judge Pendery.

In attendance at the regular meeting were:

COUNTY JUDGE/EXECUTIVE
STEVE PENDERY

COUNTY COMMISSIONERS
GEOFF BESECKER
TOM LAMPE
BRIAN PAINTER

Steve Franzen	County Attorney
Kim Serra	Assistant County Administrator
Paula Spicer	Fiscal Court Clerk
Marie Schenkel	Finance Director
Colonel Craig Sorrell	Police Chief
Frank Spataro	Human Resources Director

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 April 3, 2019 were presented. Commissioner Besecker made a motion to adopt the minutes, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

Finding that no guests were scheduled to speak, and nobody had signed in to address the Fiscal Court, Judge Pendery proceeded with the agenda.

There being no old business, Paula Spicer presented new business by requesting a motion to grant Juanita Barrett, Barretts Investments 1, LLC a permit to operate a place of entertainment known as Barrett’s Pour House located at 9406 Alexandria Pike, Alexandria, Kentucky. Motion was made by Commissioner Besecker, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

Resolution R-39-19 was read by title. R-39-19 authorizes the Judge/Executive to apply for Recreational Trails Program funding to resurface a portion of the walking trails at A J Jolly Park. Judge Pendery made a motion to adopt R-39-19, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

Resolution R-32-19 was read by title. R-32-19 authorizes the renewal of FY19 rate for FY20 with Dental Care Plus for dental insurance through payroll deduction to all eligible employees of

the Campbell County Fiscal Court and Detention Center. Judge Pendery advised that the next several resolutions relate to benefits for employees of the Fiscal Court and asked Kim Serra to give a brief explanation. Ms. Serra advised that the Fiscal Court offers dental insurance to its employees that is paid by the employees. This year's rates stayed the same as FY19. She then stated that the health insurance through Humana has a 2% rate reduction some of which is due to participation in the GO365 Wellness Program. Rates for some voluntary products offered to employees of the Fiscal Court, Detention Center, County Attorney's Office and Dispatch Center such as basic life, accidental death and dismemberment, short-term disability and accident insurance remain the same, while the voluntary long-term disability plan increased 24%. The rates for Chard Snyder, the Third Party Administrator for flexible spending accounts, COBRA insurance and for the Health Savings Account, remain the same. Judge Pendery made a motion to adopt R-32-19, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-33-19 was read by title. R-33-19 approves rates for FY20 with Humana Health Plan, Inc. to provide medical insurance to eligible employees of the Fiscal Court and Detention Center. Commissioner Besecker made a motion to adopt R-33-19, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-34-19 was read by title. R-34-19 authorizes Chard Snyder to serve as a Third Party Administrator of S125 Flexible Benefit and COBRA accounts and contributions to employees' Health Savings Accounts for all eligible employees of the Fiscal Court and Detention Center. Commissioner Besecker made a motion to adopt R-34-19, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Resolution R-35-19 was read by title. R-35-19 authorizes group term life and accidental death and dismemberment (AD&D) insurance provided by UNUM Life Insurance Company to eligible employees of the Fiscal Court and Detention Center. Commissioner Painter made a motion to adopt R-35-19, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-41-19 was read by title. R-41-19 authorizes voluntary long-term disability insurance provided by UNUM Life Insurance Company to eligible employees of the Fiscal Court and Detention Center. Commissioner Besecker made a motion to adopt R-41-19, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-42-19 was read by title. R-42-19 authorizes voluntary life, short-term disability and accident insurance provided by UNUM Life Insurance Company to eligible employees of the Fiscal Court and Detention Center. Judge Pendery made a motion to adopt R-42-19, seconded by Commissioner Painter. Commissioner Painter asked if this is voluntary employee-paid insurance. Ms. Serra replied that it is. All voted "AYE" and the motion passed.

Resolution R-38-19 was read by title. R-38-19 acknowledges the annual review of the Campbell County Detention Center Policy and Procedure Manual. Commissioner Lampe made a motion to adopt R-38-19, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to proclaim May 2019 as “Building Safety Month” in Campbell County, Kentucky. Motion was made by Commissioner Painter, seconded by Commissioner Besecker. All voted “AYE” and the motion passed.

A motion was requested to adjust the hourly rate of the following three part-time Clubhouse Concession Workers from \$9.75 to \$10.70 effective January 24, 2019: Mary Baker, Ann Greely and Chelsea Williams. Motion was made by Judge Pendery, seconded by Commissioner Lampe. Ms. Serra explained that these are part-time returning employees at the Golf Course Clubhouse. When staff asked about starting rates for seasonal and part-time people it was increased to \$10.70. This action reaffirms that the hourly rate is \$10.70 for these returning employees. All voted “AYE” and the motion passed.

A motion was requested to appoint Linda Williams to the full-time position of Animal Technician at the Animal Shelter effective April 18, 2019 with compensation set at Pay Grade 10, \$14.13 per hour or \$29,393.73 annually (total annual benefit cost of \$17,125). Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

A motion was requested to authorize staff to advertise, interview and hire a part-time Kennel Technician to fill the position vacated by Linda Williams. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

A motion was requested to appoint Kendra Cross to the full-time position of Animal Technician at the Animal Shelter effective April 18, 2019 with compensation set at Pay Grade 10, \$14.13 per hour or \$29,393.73 annually (total annual benefit cost of \$17,185). Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

A motion was requested to appoint Marie Schenkel as Campbell County Treasurer effective July 1, 2019 through June 30, 2023. Kentucky Revised Statutes requires that the Fiscal Court appoint a County Treasurer for a four-year term. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “AYE” and the motion passed. Commissioner Painter stated that the term exceeds the term of Judge Pendery and asked if that was appropriate. Ms. Serra stated that normally the Fiscal Court reaffirms appointment of the Treasurer at the beginning of the term. Ms. Schenkel added that the terms overlap to ensure continuity in operation of the Fiscal Court.

A motion was requested to accept the resignation of Roger Mason from the Campbell County and Municipal Board of Adjustments effective immediately. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

A motion was requested to appoint Roger Mason to the Campbell County and Municipal Planning and Zoning Board for a four-year term effective April 18, 2019 through April 17, 2023. Motion was made by Judge Pendery, seconded by Commissioner Lampe. Judge Pendery explained that there are two vacancies on the Planning and Zoning Board. Mr. Mason has experience from serving on the Board of Adjustments and requested moving onto the Planning and Zoning Board. All voted “AYE” and the motion passed.

A motion was requested to reappoint Gina Rittinger to the Transit Authority of Northern Kentucky (TANK) Board of Directors for a four-year term effective July 1, 2019 through June 30, 2023. Motion was made by Judge Pendery, seconded by Commissioner Besecker. Judge Pendery pointed out that Ms. Rittinger has done a great job on the TANK Board. All voted “AYE” and the motion passed.

Kim Serra presented Resolution R-40-19 by title. R-40-19 authorizes the execution of a Working Agreement with the Fraternal Order of Police Lodge #10. The current contract expires in June 30, 2019 and the new agreement is for a term of four years. Ms. Serra stated that Chief Sorrell and Marie Schenkel were in the negotiations with her; the process went well. The negotiations focused on changing the pay structure to help with recruitment and retention of seasoned officers. Reasonable pay increases were negotiated to cover cost of living increases. Two issues that were worked out were compensatory time and placing a reasonable cap on it, and operational issues related to how time off is taken and approved. Overall the conversations were positive. There will be no wage reopeners with this contract and officers will continue on the same benefit plan as other Fiscal Court employees. Judge Pendery stated that there are protections built-in for the officers should the economic circumstances change over the next several years, but there will be no renegotiations because of the four-year contract. Judge Pendery then made a motion to adopt R-40-19, seconded by Commissioner Besecker. Judge Pendery mentioned that the members of the Fiscal Court have had an opportunity to review this agreement in private before the details were made public this evening. All voted “AYE” and the motion passed. Commissioner Lampe stated that they’ve gone through many resolutions this evening that are important, but this particular resolution is extremely important. Continuity was mentioned before, but continuity of the high level of safety provided by our police force is important. He thanked Ms. Serra, Chief Sorrell, Ms. Schenkel and the FOP members that were part of the negotiations. He understands that the negotiations were professional, fair and done in good faith. It is comforting to know that the agreement is in place for the next four years.

Commissioner Besecker following up on Commissioner Lampe’s comments, stated that the community is in good hands with the County Police Department.

Commissioner Besecker advised that he and his youngest son visited the new “Freshwater Falls” exhibit at the Newport Aquarium. It is very impressive and he encouraged everyone to visit.

Commissioner Besecker stated that this past week was the Campbell County Conservation District Education meal. He thanked the Conservation District and especially Ron McCormick for their work with the County’s youth and teachers.

Commissioner Painter stated that this past Monday he, Judge Pendery and Marie Schenkel were invited by Alan Ahrman, a member of the Owen Electric Cooperative Board, to visit the Spurlock Power Plant owned by Owen Electric. Owen Electric Cooperative services a large part of Campbell County. The Spurlock Station in Maysville is a 1300MW generating station with four coal-fired boilers. It is the cleanest coal-fired power plant in Kentucky. The plant is currently undergoing a \$260 million improvement and will move away from fly ash ponds and the related environmental hazards that they present. Instead, a water treatment plant will treat the water and the fly ash will be taken to a landfill about three miles away. Commissioner

Painter stated that this is a great improvement to the environmental footprint and impact of the power station. Despite the expense, the plant will stay very competitive with coal. Judge Pendery added that they had access to some high level executives from the plant and got a lesson on utility rates and where things are going in the future. There was a time when some people in Kentucky were concerned about coal generation and losing the advantage that the State has had for a long time – the lowest average electrical rates east of the Mississippi. This was included in incentives in the economic development area to entice business to move here. Kentucky will lose this advantage over the next 10-15 years because of fracking. Previously it was feared that the EPA was going to put the coal industry out of business. However, fracking is producing a lot of natural gas at unbelievably low prices, while wind and solar energy production has grown with the help of Federal government incentives, and is very close to becoming the lowest cost. With this investment in Spurlock, it will remain clean and competitive for many years. The good news is that the United States is becoming or has become energy independent. Business will be that much more competitive compared to the rest of the world. This is a good move for the Country. Commissioner Painter stated that he likes coal because you can keep 5-6 weeks of coal on standby whereas when a natural gas pipeline stops, the power generation stops. Judge Pendery stated that until there is better battery technology, solar and wind power is a little scary as a day-to-day energy source and is best used to fill in gaps. The Spurlock Station will be in operation for a long time for various reasons and is good for our area.

Judge Pendery announced that the Fiscal Court and Campbell County Mayors will hold their quarterly meeting on Tuesday, April 23 at 6:00pm in the Fiscal Court Chambers, 1098 Monmouth Street, Newport.

Judge Pendery announced that AJ Jolly Park will offer free admission on Saturday, April 27 from 11am-2pm to kick off the park and camping season. Free bounce houses, music, dragonboat rides, a fishing derby, hotdogs, chips and drinks will be available, as well as discounted watercraft and bike rentals.

Judge Pendery announced that a Quarter Auction to benefit the Campbell County Animal Shelter will be held on April 30, 2019 at the Newport Elks, 3704 Alexandria Pike, Cold Spring. Doors open at 6pm and the auction begins at 7pm. The cost is \$5 at the door.

Judge Pendery announced that the Campbell County Spring Clean-Up event will be held on May 17 and 18 from 8am to 5pm at three locations: Campbell County Police Department, Pendery Park and the Campbell County Transportation Center.

Marie Schenkel requested a motion to authorize staff to solicit bids for the following road materials for FY20: culvert pipe, stone and hot/cold mix asphalt. This is an annual request. Motion was made by Commissioner Besecker, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

A motion was requested to authorize the purchase of a 2019 Ford F350 utility truck from Paul Miller Ford, Lexington, for the Kentucky Master Agreement price of \$38,368.00. The purchase is included in the Road Department’s FY19 budget. The new truck will replace a 2002 truck

with about 195,000 miles and rust damage. Motion was made by Commissioner Lampe, seconded by Commissioner Besecker. All voted “AYE” and the motion passed.

A motion was requested to approve budget transfers as presented for April 17, 2019. Ms. Schenkel explained that the transfers do not increase the overall budget they only reallocate certain funds. Motion was made by Commissioner Lampe, seconded by Judge Pendery. All voted “AYE” and the motion passed.

Ms. Schenkel then requested a motion to approve the claims and supplemental claims as presented for April 17, 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 Besecker. 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 6:12 pm.

Attachments:

Resolution R-39-19	Application for Recreational Trails Program Funds
Resolution R-32-19	Agreement – Dental Insurance
Resolution R-33-19	Agreement – Health Insurance
Resolution R-34-19	Agreement Third Party Administrator of Employee Benefits
Resolution R-35-19	Agreement Group Life and AD&D Insurance
Resolution R-41-19	Agreement – Voluntary Long-Term Disability Insurance
Resolution R-42-19	Agreement – Voluntary Life, Short-Term Disability, Accident Insurance
Resolution R-38-19	Annual Review of Detention Center Policy and Procedure Manual
Resolution R-40-19	Working Agreement with Fraternal Order of Police
Budget Transfers Dated April 17, 2019	
Claims and Supplemental Claims Dated April 17, 2019	

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk