

CAMPBELL COUNTY FISCAL COURT MINUTES

FEBRUARY 17, 2016

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, February 17, 2016 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 proposed reissuance of Industrial Building Revenue Refunding Bonds for Main Street Baptist Church of Alexandria. Present at the hearing were:

Steve Pendery, Judge Executive
Charlie Coleman, County Commissioner
Tom Lampe, County Commissioner
Brian Painter, County Commissioner
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
Frank Spataro, Human Resources Director

Judge Pendery called on Robert Mecklenborg, Jr., Frost Brown Todd LLC, bond counsel for Main Street Baptist Church of Alexandria, to conduct the public hearing. Mr. Mecklenborg explained that the Internal Revenue Service Code (IRS) allows tax exempt bonds to be issued on a conduit basis for 501(c)(3) nonprofit corporations. The subject bonds were originally issued in 2009 and 2010. This is a reissuance of the bonds to extend the maturity date. The IRS Code requires a public hearing on the reissuance. Matt Elberfeld stated that there is no impact to the Fiscal Court, it does not affect the County's debt capacity and it is not responsible should payments fail to be made. Mr. Mecklenborg agreed that there is no liability to the County for repayment of the debt. A nonprofit cannot issue debt on its own, it must be done through a conduit – traditionally a city or county. Mr. Elberfeld added that the benefit to the issuer of a tax exempt bond is that the interest costs are lower. There being no further comments, the public hearing was closed at 5:38 p.m.

In attendance at the regular meeting were:

COUNTY JUDGE/EXECUTIVE
STEVE PENDERY

COUNTY COMMISSIONERS
CHARLIE COLEMAN
TOM LAMPE
BRIAN PAINTER

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

The meeting was called to order at 5:38 p.m. by Judge Pendery.

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 February 17, 2016 were presented. Commissioner Coleman made a motion to adopt the minutes, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Judge Pendery invited comments from the public. There being none, he proceeded with the agenda.

Paula Spicer presented old business with a second reading of Ordinance O-01-16 by title and summary. O-01-16 authorizes the execution and delivery of a First Amendment to Loan Agreement, Amended Bonds and a Tax Agreement relating to the previously issued County of Campbell, Kentucky Industrial Building Revenue Refunding Bonds, Series 2010 (Main Street Baptist Church of Alexandria, KY., Inc. Project) in the original aggregate principal amount of \$1,655,893.26, and other documents and certificates in connection therewith. Commissioner Lampe made a motion to adopt O-01-16, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

New business was presented beginning with Resolution R-15-16 by title and summary. R-15-16 authorizes the Judge/Executive to execute a Memorandum of Understanding with the Northern Kentucky Cooperative for Educational Services to provide a School Resource Officer at the Cooperative. The MOU provides that the arrangement will remain in effect unless either party requests a change and clarifies that the Cooperative is responsible for 100% of the total compensation of the officer. Commissioner Coleman made a motion to adopt R-15-16, seconded by Judge Pendery. All voted "AYE" and the motion passed.

A motion was requested to approve the 2016 annual compensation for Judge/Executive Steve Pendery at \$113,125.68 and Jailer James Daley at \$113,125.68 as prescribed by KRS 64.5275 and calculated by the Kentucky Department of Local Government effective January 1, 2016. Motion was made by Commissioner Painter, seconded by Commissioner Coleman. All voted “AYE” and the motion passed.

A motion was requested to set the 2016 annual compensation for the Campbell County Commissioners at \$38,513.40 as calculated by the Kentucky Department of Local Government effective January 1, 2016. Motion was made by Judge Pendery, seconded by Commissioner Lampe. Commissioner Coleman stated that, as he did last year, he would vote “No” on this motion because he feels that he is fairly compensated. He stated that he’s voted against pay raises for some employees and will vote against his own. Commissioner Painter noted that Commissioners are not compensated for travel to local meetings or night-time events. This raise mirrors the inflation rate and he will support it. He stated that he will go to Frankfort tomorrow to meet with legislators to see if he can get some money into Campbell County. Commissioner Painter stated that the Commissioners are very active – to let the increase mirror the inflation rate is not bad for the value that the County gets from its Commissioners. Commissioners Lampe and Painter and Judge Pendery voted “AYE”, Commissioner Coleman voted “NAY” and the motion passed.

A motion was requested to set the 2016 annual compensation for the Campbell County Coroner at \$45,914.85 as calculated by the Kentucky Department of Local Government effective January 1, 2016. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

A motion was requested to set the 2016 annual compensation for the Campbell County Attorney at \$45,648.80 as calculated by the Kentucky Department of Local Government effective January 1, 2016. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

A motion was requested to adjust the salary of Stephen Cunningham, Assistant Golf Pro at A J Jolly Golf Course from \$29,036.80 to \$31,036.80 effective February 21, 2016. Pursuant to the Executive Order appointing Mr. Cunningham, he is entitled to a \$2,000 increase in his annual salary upon achieving level two certification in the PGA Education Program. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

Resolution R-13-16 was read by title and summary. R-13-16 updates the Office of Emergency Management Deputy Director-Administrative and Deputy Director-Operations and Tax Compliance Officer position descriptions to reflect their status as non-exempt under the Fair Labor Standards Act, and authorizing corresponding amendments to the Administrative Code. Judge Pendery made a motion to adopt R-13-16, seconded by Commissioner Coleman. Matt Elberfeld explained that the Fair Labor Standards Act sets certain criteria for whether a position is exempt (salaried) or non-exempt (hourly) employees. Staff annually reviews position descriptions to determine that they are in compliance with FLSA. These positions are being changed from salaried to hourly. Frank Spataro added that the same standards apply to private sector employees. All voted “AYE” and the motion passed.

Resolution R-14-16 was read by title and summary. R-14-16 approves a new part-time Housing Inspector position assigned to the Housing Department. Judge Pendery made a motion to adopt R-14-16, seconded by Commissioner Coleman. Mr. Elberfeld explained that currently there is one employee that splits his time performing building inspections for Planning and Zoning Department and housing inspections for the Housing Choice Voucher program. This employee has been here for about a year and has done a good job. Since the inspection work was divided in this manner, the County has started performing building inspection services for the City of Alexandria and the Housing Department expects to receive 68 more Housing Choice Vouchers. This means more housing and building inspections to be done. Mr. Elberfeld stated that as a result, the employee currently doing both jobs will do building inspections full time, and the Fiscal Court will hire a part-time Housing Inspector to perform housing inspections three days a week. The costs of these employees are covered by the fees that these services generate. About \$50,000-\$60,000 will be generated from City of Alexandria building permit fees and about \$39,000 annual administrative fee for the housing vouchers. There will be no net expense to the Fiscal Court. Judge Pendery stated that this is in keeping with the County's ambition to try to provide services to the cities. All voted "AYE" and the motion passed.

A motion was requested to authorize staff to advertise, interview and hire a part-time Housing Inspector. Motion was made by Judge Pendery, seconded by Commissioner Coleman. All voted "AYE" and the motion passed.

A motion was requested to approve the transfer of David Rodgers to the full-time Building Inspector 1 position effective April 3, 2016. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Commissioner Painter thanked Mr. Elberfeld and staff for always looking for ways to reduce staff costs and utilize resources in the best way possible to serve the public.

Matt Elberfeld presented Resolution R-12-16 by title and summary. R-12-16 authorizes the County Judge/Executive to execute a change order to the contract with Perkins Carmack Construction for construction of the Campbell County Detention Center. Mr. Elberfeld explained that everything in connection with the jail renovation is proceeding on time and on budget. The original cell doors, installed in 1992 when the jail was built, are still in use but in need of replacement. This change order in the amount of \$167,789 will replace 26 doors and frames including hardware and installation. He stated that this is a good time to replace the doors while the contractors are on site and inmates are being moved during construction. He stated that there is money in the construction fund to pay for this work due to the low interest rate when the bonds were sold. It is a change order because it was not included in the original contract. The original cost of the renovation project was around \$7 million. Judge Pendery explained how the doors work and why they need to be replaced. Judge Pendery made a motion to adopt R-12-16, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Steve Franzen advised that the petition for rehearing in the 911 Service Fee case is pending in the Supreme Court. There may be a ruling in the case tomorrow.

Commissioner Coleman stated that he does not know if this has anything to do with the “sanctuary county” issue, but he was at a Kenton County Tea Party meeting last week and it was reported that there are 2000 refugees in Northern Kentucky. It was also reported that the Northern Kentucky Area Development District (NKADD) is paying charities to help get housing and food stamps for these refugees. He would like staff to look into this claim. He has had an email forwarded to him on this issue that he will share. Commissioner Coleman stated that refugees are being given housing, transportation and cash, and he is told that it is coming from the NKADD. He asked if somebody could investigate this situation.

Commissioner Coleman stated that the Center for Immigration Studies has listed Campbell County as a “Sanctuary County” but nobody seems to know anything about it. He emailed the Center and just received a reply that he did not understand and he shared it with Steve Franzen. Mr. Franzen stated that it says we were granted sanctuary county status because of our policy, but it did not say what the policy was. Judge Pendery stated that more needs to be known before talking about it. Implied in the documentation that he saw is the idea that if an immigration case is not handled the way that the immigration authorities want it done, the Center may consider that county a sanctuary county. He has forwarded the information from an email that he received to the Jailer, Police Chief and Mr. Elberfeld. Four other Kentucky Counties, including Kenton County were designated too. Kenton County does not know what is going on either. Judge Pendery stated that to his knowledge, Campbell County has no such policies. Commissioner Coleman stated that he’ll forward the email that he received.

Commissioner Coleman stated that he has been trying to get information on the Consensus Committee, but can’t get an answer. He has called the Northern Kentucky Chamber of Commerce and was told that they have nothing to do with it. Yet the document that he has about Chase Law School says “Northern Kentucky Chamber of Commerce Consensus Committee”. The Chamber President told him that the Judge/Executives appoint members to the Committee. Judge Pendery stated that years ago legislators asked that the community convene and gather all requests and set priorities before turning them over to the legislators. He had been actively involved in this process for many years up until the last couple of years when there is no money and there doesn’t seem to be any result from it. He named some of the types of projects that were submitted in the past for funding. Judge Pendery stated that there is no money, and there aren’t likely to be any projects being approved. However, there is a group that has been meeting which selected certain projects and put them in order of importance to submit to the legislators. Commissioner Coleman stated that one of the things that the Committee asked for was funding for the Kenton County building so that Chase Law School could move there. That was his concern. Judge Pendery stated that the list of the consensus committee has been made available for a while; he thinks that the request by Kenton County was the bottom priority. Commissioner Painter stated that he was on the Committee last year. He stated that the members see a presentation on each project and score them by importance. He had tried to get funding for the Rt. 536 project. At that time there were about 40 people on the Committee. Judge Pendery reiterated that he did not take an interest this year because there is no money to fund projects.

Commissioner Lampe stated that he attended the legislative caucus on February 6 which was very well attended by elected legislators. Campbell County was well represented, particularly by

Northern Kentucky University President Mearns, faculty, staff and students talking to legislators about outcome based funding. He stated that there were a lot of residents there as well.

Commissioner Painter stated that he will be in Frankfort tomorrow at the Kentucky Magistrates and Commissioners Association training day and he has meetings set up with local legislators to try to get some benefits for Campbell County.

Judge Pendery stated that he will be in Frankfort tomorrow at a KACo legislative reception and most of the northern Kentucky caucus and people from around the state will attend. It is a good chance to do some lobbying. Commissioner Lampe noted that he will be there as well.

Judge Pendery announced that the Northern Kentucky Technical Rescue Team will have its equipment on display at the Northern Kentucky Convention Center on February 25, 2016 from 10:00am to 4:00pm. The public is invited to see the equipment and learn from team members about the rescue services that they provide to northern Kentucky.

Marie Schenkel requested a motion to approve the claims as presented for February 17, 2016. 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 Coleman. All voted "AYE" and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Lampe made a motion to adjourn, seconded by Commissioner Painter. All voted "AYE" and the meeting adjourned at 6:30 p.m.

Attachments:

Ordinance O-01-16	Refunding Bond Issue for Main Street Baptist Church
Resolution R-15-16	Agreement with NKY Cooperative for Educational Services
Resolution R-13-16	Update Position Descriptions
Resolution R-14-16	Approve New PT Housing Inspector Position
Resolution R-12-16	Approve Change Order for Detention Center Renovation Project
Claims	February 17, 2016

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk