

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

August 24, 2005

A special (change of date) meeting of the Campbell County Fiscal Court was held on Wednesday, August 24, 2005, at 5:30 p.m. at the Campbell County 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
KENNETH RECHTIN
MARK HAYDEN

Robert Horine	County Administrator
Justin Verst	County Attorney
Jim Seibert	Fiscal Affairs Director
Keith Hill	Chief, Campbell County Police Department
Ken Knipper	Director, Office of Emergency Management
Sarah Collins	Director of Housing
Pat Dressman	Director, Human Services
Melissa Williams	Director of Administration
Sandra Mulligan	Fiscal Court Clerk
Josh Wice	Administration Analyst

The meeting was called to order at 5:34 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 meetings of August 10, 2005 and August 18, 2005, and the Mayors' Meeting of July 26, 2005. It was moved by Commissioner Otto and seconded by Commissioner Rechtin that the minutes of August 10, 2005, August 18, 2005 and July 26, 2005 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 for second reading and passage consideration Ordinance O-09-05, which she read by title and provided a summary to the Court. She explained that this Ordinance updates the official list of county maintained roads and amends Ordinance O-02-05 by adding Richland Lane,

Hearthstone Court and Timbercreek Court, along with correcting an administrative error in the length of Gunkle Road and Mystic Rose, and deleting the Grandview Connector Road that has been annexed by the City of Alexandria. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Hayden seconded, to approve Ordinance O-09-05. All voted “AYE” and the motion passed unanimously.

Judge Pendery next requested items of New Business be brought before the Court. Ms. Williams presented Resolution R-97-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution revises the Mission Statement for the Campbell County Senior Center which incorporates the goals of the new Wellness Center, and is being recommended by Pat Dressman, Human Services Director. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Otto seconded, to approve Resolution R-97-05. All voted “AYE” and the motion passed unanimously.

Ms. Williams then presented Resolution R-111-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution allocates \$10,000 from the MH/MR tax funds to be used for an Emergency Shelter Services Assistance Program for Fiscal Year 2006. In the past the program has received a grant in the amount of \$10,000 that has helped with emergency assistance, but the program was not awarded a grant this year. The request is being made by Naguanda Deaton, Personnel Director, who will oversee the program, and by Pat Dressman, Human Services Director, due to the great need for this program in the County. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Hayden seconded, to approve Resolution R-111-05. All voted “AYE” and the motion passed unanimously.

Ms. Williams then presented Resolution R-112-05, 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 enter into contracts with the Alexandria Fair Board regarding the 2005 Alexandria Fair to provide funding in the amount of \$750 for the purchase of Fair Booths, and to allow the Road Department to assist with manpower and equipment to prepare the fairgrounds prior to the event. These funds were included in the budget. There being no further discussion, Commissioner Rehtin made a motion and Judge Pendery seconded, to approve Resolution R-112-05. All voted “AYE” and the motion passed unanimously.

Ms. Williams next presented Resolution R-114-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution approves and accepts the proposal of KZF Design, Inc. to design a bridge to be located on Jerry Wright Road in Unincorporated Campbell County, and authorizes the Judge/Executive to execute necessary documents relating to said project. Ken Schultz, Road Supervisor, is making the recommendation. She noted that Campbell County had applied for State emergency funding from the Transportation Cabinet to replace this bridge, and Senator Katie Stine was able to get funding in the amount of \$135,000 to replace the bridge. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Otto seconded, to approve Resolution R-114-05. All voted “AYE” and the motion passed unanimously.

Ms. Williams then presented Resolution R-115-05, 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 Modification to Master Agreement #M-04615334 with the Kentucky Department of Homeland Security to accept an award grant in the amount of \$1,667. The Modification will allow the Office of Emergency Management to purchase a laptop computer that will be utilized in CERT training classes. Ken Knipper, Office of Emergency Management Director, is recommending the execution of the Modification, and was present to answer any questions. There being no further discussion, Commissioner Otto made a motion and Commissioner Rechtin seconded, to approve Resolution R-115-05. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Resolution R-116-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution states that Campbell County Fiscal Court has not accepted an unnamed road, which is located off of Chesapeake and Newman Avenues, in Ft. Thomas, Kentucky, into the County Road System for maintenance, and further that the County disclaims any interest in said property. This Resolution is being requested by County Attorney Justin Verst, who received the request from Attorney Scott Tranter, on behalf of his client, Patricia Stratman. In order to clarify the title for Ms. Stratman, Circuit Court Judge Fred Stine has asked that the Fiscal Court report by resolution that it disclaims any interest in the road and has no record of maintaining said road. Mr. Verst stated that Ms. Stratman is trying to get clear title to the land and needs the County's disclaimer in order to do so. There being no further discussion, Commissioner Rechtin made a motion and Commissioner Hayden seconded, to approve Resolution R-116-05. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Resolution R-118-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution recognizes the efforts of Senator Jim Bunning in securing Federal Highway Allocations, including \$14 million for the proposed I-275/AA Highway Connector Road, which supports both NKU and the Technology Triangle development, and \$38 million for replacement of the Brent Spence Bridge. There being no further discussion, Commissioner Rechtin made a motion and Judge Pendery seconded, to approve Resolution R-118-05. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Resolution R-119-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution recognizes the efforts of Congressman Geoff Davis, who secured \$3.2 million in Federal Highway Allocations that will be used for the I-471 Corridor Study and for the I-275-AA Highway Connector Road, which supports NKU and the Technology Triangle development. There being no further discussion, Judge Pendery made a motion and Commissioner Rechtin seconded, to approve Resolution R-119-05. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Resolution R-120-05, 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 Lease Agreement with Carlisle Construction, Inc. for office space for the Campbell County Housing Department. This Resolution is being recommended by Housing Director, Sarah Collins, who was present to answer any questions. Commissioner Hayden inquired as to whether this property is being leased due to the lack of space at the current site of the Fiscal Court. Mr. Horine stated that that was correct, and there is no other County-owned space that would be adequate for the Housing Department. He noted that all of the rent

for this space is paid out of federal funds that the County receives for the Housing program. Commissioner Hayden asked how much space the Housing lease provides. Mr. Horine stated that the offices of the Housing Department lease approximately 2,466 square feet. Commissioner Hayden asked if the amount of the lease payment were funds that the County would receive had enough space been in the current building to house the Housing Department. Mr. Horine stated that the lease payments come out of the overall administrative fees that are collected for the operation of the Housing Voucher Program, which comes from the Federal government. A portion of those funds has to be spent on this space. If they were occupying space in the Fiscal Court building, the Fiscal Court could charge the program rent as well. Commissioner Hayden then inquired as to whether that was the plan if and when a new administration building is built. Judge Pendery stated that the other tenants of the new building would help pay for the building, and this would build an asset for the taxpayers. Mr. Horine stated that the Fiscal Court has already set aside \$350,000 that was accumulated in a reserve fund from the Housing Program up until 2003, to pay for a portion of the Housing Department's space in the new building. Commissioner Hayden stated that due to lack of space, the County is losing approximately \$2,600 per month to pay for the Housing Department's leased space. Mr. Horine stated that that was correct. Commissioner Otto added that not only does the current Fiscal Court building not have available space, but also it is not ADA compliant and does not have enough closed office space. There being no further discussion, Commissioner Otto made a motion and Commissioner Rehtin seconded, to approve Resolution R-120-05. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Resolution R-121-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution authorizes the Campbell County Road Department to assist the City of Silver Grove with manpower and equipment to grade their city's ballfield. Ken Schultz, Road Supervisor, has indicated that the Road Department can provide this service. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Otto seconded, to approve Resolution R-121-05. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to approve a salary adjustment for Ptl. Marty Hart from Grade 11C to Grade 11D, as per the current agreement with the Fraternal Order of Police. This adjustment will be effective August 5, 2005. Chief of Police Keith Hill is recommending the increase. There being no further discussion, Judge Pendery made a motion and Commissioner Rehtin seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to promote Ed Ackerman from Road Maintenance Specialist Level II (Grade 11) to Road Maintenance Specialist Level III (Grade 11) as per current Working Agreement with the Campbell County Road Department. This promotion and compensation adjustment will be effective August 24, 2005. Ken Schultz, Road Supervisor, is recommending approval of this motion. 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.

Ms. Williams next requested a motion to promote Joseph Pfefferman from Road Maintenance Specialist Level I (Grade 10) to Road Maintenance Specialist Level II (Grade 11). This promotion and compensation adjustment will be effective August 24, 2005. Ken Schultz, Road

Supervisor, is recommending approval of this motion. There being no further discussion, Judge Pendery made a motion and Commissioner Rechtin seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to reappoint Carl Bauman to the Northern Kentucky Community Action Commission for a three-year term, effective August 1, 2005 through July 31, 2008. Commissioner Rechtin asked how many appointments the County has to this Board. Ms. Williams stated that the County has two appointments to this Board. Commissioner Rechtin asked if Ms. Williams would check into getting another appointment from the County on this Board. Ms. Williams stated she would check into this. 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 stated he had nothing further to report at this meeting.

Judge Pendery then requested a report from the County Attorney's office. Mr. Verst stated that all is going well at the County Attorney's office.

Judge Pendery next requested reports from the Commissioners. Commissioners Hayden and Rechtin stated they had nothing further to report at this meeting.

Commissioner Otto stated that inmates at the Restricted Custody Center (RCC) had begun turning in essays on why they should be chosen to be a trainer of adoptable dogs in a program to be started at the RCC. He noted that some of these inmates seem to be excited about the program that will start on October 1, 2005. The Animal Shelter Director is also excited that animals from the shelter will be trained in this program, rather than being put to sleep, if they are not adopted through the Shelter. The goal is to have an animal shelter that is a "no-kill" animal shelter. There will always be animals that sometimes have to be put down, but it is the goal to have any dog that can be adopted, adopted out.

Judge Pendery next requested a motion to change the Fiscal Court meeting date of Wednesday, September 21, 2005 to Tuesday, September 20, 2005, at 5:30 p.m., at the Campbell County Fiscal Court Conference Room, 24 W. 4th Street, Newport, Kentucky, due to the Senior Citizens Picnic being held on September 21. There being no further discussion, Commissioner Rechtin made a motion and Commissioner Otto seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Judge Pendery then requested a report from the Fiscal Director. Mr. Seibert requested a motion to authorize staff to solicit bids for the purchase of salt for the Campbell County Road Department. There being no further discussion, Commissioner Rechtin made a motion and Commissioner Hayden seconded, to approve the motion.

Mr. Seibert next presented Resolution R-117-05, which he read by title and provided a summary to the Court for its consideration. He stated that this Resolution adopts and approves the execution of a County Road Aid Bond Fund Agreement with the Kentucky Transportation

Cabinet to obtain funds in the amount of \$269,208 to be used on road paving projects. There being no further discussion, Commissioner Otto made a motion and Commissioner Rehtin seconded, to approve Resolution R-117-05. All voted "AYE" and the motion passed unanimously.

Mr. Seibert then presented for second reading and passage consideration Ordinance O-08-05, which he read by title and provided a summary to the Court. He explained that this Ordinance sets the tax rates for 2005. The property tax rate will increase from 10.50 cents per \$100 to 10.70 cents per \$100. Commissioner Hayden stated that at the public hearing held on August 10, 2005, there were several questions raised about how the 4% tax was calculated. The Fiscal Director has, since the public hearing, circulated information to the Commissioners on how that rate was calculated. Commissioner Hayden stated that since that hearing, he has gone back and looked at the calculation by the State and it appears to have been done correctly. He thanked the Fiscal Director for circulating the information and resolving those issues. Commissioner Hayden also stated that he has had a very hard time with his vote on this item, because he believes that any tax rate increase has to be considered very seriously. He believes that given the County's current budget constraints, the County has no choice but to request the increase. The increase is permitted under the law, and the County is only taking the 4% it is entitled by law to take. After all thought and consideration, he intends to vote in favor of this Ordinance. Judge Pendery thanked Commissioner Hayden for his comments, and noted that another point to make is that the rate is still lower than it was in 2000. Commissioner Otto stated that he thought the public hearing was a good one, and sometimes there are public officials who don't want controversy, but this hearing shed some light to the folks who attended and were asking the questions on some of the reasons why this is needed. The increase is very minimal, and when there are expenses such as the \$39,000 pharmaceutical expense at the jail for a 3-month period that has been requested for payment tonight, the County has to find ways to be able to pay these expenses. These costs are out of the County's and taxpayers' control. He noted that he gets very upset about having to take money from the General Fund of the County for the health and welfare of people who commit crimes when that money cannot even be used for the people of the community who do not commit crimes. Commissioner Hayden stated that he believes the other strength of the public hearing was that we were able to explain to the public that the budget in Kenton County is \$69 million, the budget in Campbell County is \$26 million, Campbell County's property taxes are lower than Kenton County by almost 20%, Campbell County's property taxes are slightly higher than Boone County, and Campbell County still has to provide roads, jail and police, which takes up most of Campbell County's budget. There just is not a lot of extra in Campbell County's budget, and given the fiscal constraints that the County is dealing with now, this Fiscal Court has no choice but to take the 4%. Commissioner Otto stated that over the period of the investigation and trial into the Bosley murder case, the County will incur costs of approximately \$200,000. Judge Pendery stated that overall Campbell County's taxes are not increasing because so many sources of the County's revenue do not adjust themselves for inflation. In the case of the payroll tax, which is the County's number one source of revenue, it cannot by law adjust itself for inflation. There being no further discussion, Judge Pendery made a motion and Commissioner Rehtin seconded, to approve Ordinance O-08-05. All voted "AYE" and the motion passed unanimously.

Mr. Seibert then presented Resolution R-113-05, which he read by title and provided a summary to the Court for its consideration. He stated that this Resolution authorizes the pre-approval of

payments for the Emergency Shelter Program. This relates to Resolution R-111-05 and covers the County for those times when there is an emergency between meetings and the County has to provide funds for individuals prior to the authorization by the Fiscal Court. Commissioner Rechtin asked if the maximum amount per residence was \$200. Mr. Seibert confirmed that it was. There being no further discussion, Commissioner Rechtin made a motion and Commissioner Otto seconded, to approve Resolution R-113-05. All voted "AYE" and the motion passed unanimously.

Mr. Seibert then requested approval of the Claims being presented at this meeting. County Attorney Verst stated that he had reviewed the Claims and that they appeared to be appropriate. There being no further discussion, Commissioner Rechtin made a motion that the claims be approved and paid. Commissioner Otto 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 Rechtin, seconded by Judge Pendery, that the meeting be adjourned. All voted "AYE" and the meeting was adjourned at 6:07 p.m.

Attachments:

Ordinance O-08-05: Approval of 2005 Tax Rates
Ordinance O-09-05: Update of Official List of County Maintained Roads
Resolution R-97-05: Update of Mission Statement for Campbell County Senior Center
Resolution R-111-05: Allocation of Funds for Emergency Shelter Program
Resolution R-112-05: Alexandria Fair Board Contracts
Resolution R-113-05: Authorization of Pre-Approval for Emergency Shelter Program Payments
Resolution R-114-05: Approval of Proposal for Bridge Design
Resolution R-115-05: Modification of Master Agreement for CERT Funding
Resolution R-116-05: Rejection of Unnamed Road into County Road System
Resolution R-117-05: Agreement for Road Paving Funds
Resolution R-118-05: Acknowledgment of Sen. Jim Bunning Efforts
Resolution R-119-05: Acknowledgment of Cong. Geoff David Efforts
Resolution R-120-05: Renewal Lease Agreement for Housing Department
Resolution R-121-05: Authorization for Road Department to Assist with Grading of Silver Grove Ballfield
Claims: August 24, 2005
August 24, 2005 (Supplemental)

Approved:

STEVE PENDERY
Campbell County Judge/Executive

Attest:

Sandra L. Mulligan
Fiscal Court Clerk