

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

AUGUST 18, 2021

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, August 18, 2021, 5:30 p.m. at the Campbell County Administration Building, Fiscal Court Chambers, 1098 Monmouth Street, Newport, Kentucky.

COUNTY JUDGE/EXECUTIVE
STEVE PENDERY
COUNTY COMMISSIONERS
GEOFF BESECKER
TOM LAMPE
BRIAN PAINTER

County Attorney Steve Franzen,
County Administrator Matt Elberfeld,
Fiscal Court Clerk Paula Spicer,
Assistant County Administrator Kim Serra,
Finance Director/Treasurer Marie Schenkel,
Police Chief Craig Sorrell,
Assistant County Attorney Michelle Eviston

The meeting was called to order at 5:30 p.m. by Judge Pendery. Cable Access was present to film the meeting. The meeting was also broadcast live on the Fiscal Court Facebook Page.

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 August 4, 2021 were presented. Motion was made by Commissioner Besecker, seconded by Commissioner Painter to approve the minutes. All voted "Aye" and the motion passed.

Judge Pendery asked if anybody in the audience would like to address the Fiscal Court. Bill Woody, Bellevue, Kentucky, stated that he had a question about tax rates – he will wait to ask it when the resolution is read. Mr. Elberfeld advised that no questions had been submitted online prior to the meeting.

Paula Spicer presented old business beginning with a second reading of Ordinance O-10-21. O-10-21 amends the 2021-2022 annual budget. Commissioner Painter made a motion to adopt O-10-21, seconded by Commissioner Besecker. All voted "Aye" and the motion passed.

Ordinance O-13-21 was read by title for a second reading. O-13-21 amends Chapter 73 “Traffic Schedules” of the Campbell County Code of Ordinances to change the maximum speed limit on Gary Lane (CR 1321) from 35mph to 25 mph. Judge Pendery made a motion to adopt O-13-21, seconded by Commissioner Besecker. All voted “Aye” and the motion passed.

New business was then presented with Resolution R-72-21. R-72-21 establishes the 2021 ad valorem tax rates for Campbell County, Kentucky. Mr. Elberfeld stated that the current rate is 17.8 cents per \$100 of assessed value and the proposed tax rate is 17.7 cents – a decrease in the real property rate. Mr. Woody asked if this is the compensating rate and does it represent an actual cash increase. Mr. Elberfeld replied that it is the compensating rate. He explained that the State calculates the rate so that it will generate the same amount of revenue as the current year plus any current growth. There may be more cash, but there is also the growth factor in new property. Mr. Woody then asked that even though it is a reduced rate, is it still representative of a 4% increase over last year’s income. Mr. Elberfeld replied that the State’s calculated compensating rate generates the same amount of money from the same properties as the prior year. It is not comp plus 4, it is the statutory compensating rate. Judge Pendery made a motion to adopt R-72-21, seconded by Commissioner Besecker. All voted “Aye” and the motion passed.

Ordinance O-14-21 was presented for a first reading. O-14-21 updates the official zoning map for unincorporated Campbell County to rezone approximately one acre located at the intersection of US 27 and Midway Drive from Rural Residential Estate (R-RE) to Rural Commercial (RC) zone. Commissioner Besecker commented that this is Barrett’s Pour House on the western side of US27. The business is looking to expand based on what was presented at the last meeting for outdoor seating. Mr. Elberfeld stated that Cindy Minter advised that the Planning Commission approved the request unanimously, staff had no issues and there was no opposition from the public to the zone change. No vote was taken on the first reading of the ordinance.

Resolution R-64-21 was read by title. R-64-21 authorizes and approves certain actions in connection with the Community Development Block Grant Coronavirus (CDBG-CV) utility relief program. Mr. Elberfeld explained that this is the first in a series of resolutions for the CDBG-CV utility relief program. As part of the CARES Act funding, the State created a program for eligible citizens who fell behind on utility bills (gas, sewer, water, electric) due to COVID – either they were unemployed due to COVID or were sick with COVID and unable to work. Each county and city are eligible to receive \$200,000 in CARES Act funds. The Northern Kentucky Area Development District will act as grant administrator for the funds and the Community Action Commission will be the agency that actually does applicant eligibility and deals with residents. Once the program is approved, if a Campbell County resident has had utility bill struggles, they will apply with the CAC and if eligible part of the \$200,000 will go from the CAC to pay the utilities directly. The series of resolutions are all requirements to participate in the program. Funds awarded to eligible cities are available only to those who live in that city. County funds are available to anybody county-wide, incorporated or unincorporated areas. The amount of delinquent bills according to the various utilities is far in excess of \$200,000. By having the cities apply for CARES Act funds, we were able to maximize funding. Commissioner Besecker made a motion to adopt R-64-21, seconded by Commissioner Painter. All voted “Aye” and the motion passed.

Resolution R-65-21 was read by title. R-65-21 adopts the Kentucky Department for Local Government's Title VI Plan. Commissioner Besecker made a motion to adopt R-65-21, seconded by Commissioner Painter. All voted "Aye" and the motion passed.

Resolution R-66-21 was read by title. R-66-21 adopts a Fair Housing Resolution in connection with the Campbell County Utility Relief Program. Commissioner Besecker made a motion to adopt R-66-21, seconded by Commissioner Painter. All voted "Aye" and the motion passed.

Resolution R-67-21 was read by title. R-67-21 commits the Fiscal Court to enforce its agreement with Northern Kentucky Area Development District for administration of the CDBG-CV Campbell County Utility Assistance Program. Judge Pendery made a motion to adopt R-67-21, seconded by Commissioner Painter. All voted "Aye" and the motion passed.

Resolution R-68-21 was read by title. R-68-21 commits the Fiscal Court to enforce its agreement with Northern Kentucky Community Action Commission for program administration of the CDBG-CV Campbell County Utility Assistance Program. Judge Pendery made a motion to adopt R-68-21, seconded by Commissioner Besecker. All voted "Aye" and the motion passed.

Resolution R-69-21 was read by title. R-69-21 authorizes the Judge/Executive to execute a Memorandum for Agreement with the Kentucky Department of Agriculture for grant funding to support spay/neuter pet procedures. Commissioner Besecker made a motion to adopt R-69-21, seconded by Judge Pendery. All voted "Aye" and the motion passed.

Resolution R-70-21 was read by title. R-70-21 authorizes the County Judge/Executive to execute a contract with the Alexandria Fair Board for the 2021 Alexandria Fair. Commissioner Besecker made a motion to adopt R-70-21, seconded by Commissioner Lampe. All voted "Aye" and the motion passed.

A motion was requested to cancel the regular Fiscal Court meeting scheduled on September 1, 2021. Motion was made by Judge Pendery, seconded by Commissioner Painter. Judge Pendery explained that the Alexandria Fair parade is the same night as the Fiscal Court meeting in Alexandria. Those wanting to attend the meeting may not be able to get there. All voted "Aye" and the motion passed.

Resolution R-71-21 was read by title. R-71-21 authorizes and approves the decision of the Campbell County Police Merit Board to terminate the employment of Officer Kyle Gray. Judge Pendery made a motion to adopt R-71-21, seconded by Commissioner Lampe. All voted "Aye" and the motion passed.

A motion was requested to reappoint Jonathan Cullick to the Campbell County Public Library Board of Trustees for a four-year term effective October 1, 2021 through September 30, 2025. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "Aye" and the motion passed.

A motion was requested to appoint Kelley Raleigh to the Campbell County Public Library Board of Trustees for a four-year term effective October 1, 2021 through September 30, 2025. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted “Aye” and the motion passed.

Mr. Elberfeld then requested a motion to meet in executive session pursuant to KRS 61.810(1)(c) discussions of proposed or pending litigation against or on behalf of the public agency. He added that the executive session should be held now as the Fiscal Court may act as a result. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted “Aye” and the Fiscal Court met in executive session at 5:49pm.

Upon motion made by Judge Pendery and seconded by Commissioner Besecker, the Fiscal Court exited executive session.

Mr. Elberfeld then read Resolution R-74-21 by title. R-74-21 authorizes a vote on the Mallinckrodt PLC bankruptcy plan. Judge Pendery made a motion to adopt R-74-21, seconded by Commissioner Besecker. All voted “Aye” and the motion passed.

The County Attorney had no report for the meeting.

Commissioner Besecker reported that he attended a discussion with Candice McGraw, CEO of CVG Airport. She led an informative session regarding the economic impact of CVG airport and its growth including 14,000+ employees thanks to the Amazon and DHL facilities, and the diverse airlines that have come into this regional airport. CVG continues to get rave reviews across the country for airports of its size; it is always at the top of the list for cleanliness, safety, friendliness, etc. He thanked Ms. McGraw, her team and all those that make the wheels go around and the wings fly high.

Commissioner Lampe had no report for the meeting.

Commissioner Painter reported that he attended Ms. McGraw’s presentation as well. His take-away was the lack of labor to fill the needs of the airport and other companies that are expanding there, as well as the need for housing. These needs will be taxing on Boone County and the area around the airport requiring innovative solutions to get workers there. CVG is the number 2 air hub in the world for cargo. Judge Pendery stated that this is good news. We all benefit from the airport and the businesses surrounding it. Commissioner Lampe attended this event as well. Commissioner Besecker added that since 2012 the economic impact of CVG has doubled – almost \$7 billion per year of economic impact to the region.

Judge Pendery made the following announcements:

1. Campbell County will once again hold its Citizens’ Academy beginning September 13, 2021 through November 17, 2021. This nine-week program is designed to improve civic education and increase citizen engagement in the workings of county government. It is free and open to all Campbell County residents or business owners. Class size is limited to 25 participants. Applications are on the County’s website and are due no later than August 27, 2021.

2. The Campbell County Senior Picnic returns this year on Wednesday, September 22, 2021 from 11am to 3pm at Pendery Park. Presale tickets are available at the Campbell County Senior & Wellness Center, 3504 Alexandria Pike or the Campbell County Administration Building, 1098 Monmouth Street for \$10. Tickets may be purchased at the gate on picnic day for \$15.

Marie Schenkel presented the Fiscal Director/Treasurer's report by requesting a motion to reject all bids received for 1-ton and 1.5-ton trucks and to accept the low bid of FYDA Freightliner for 2.5-ton trucks, and further authorizing the purchase of a 2.5-ton truck from FYDA Freightliner in the total amount of \$180,373. Bids were recently opened on behalf of Boone, Campbell and Kenton Counties. After tabulating the bids, staff recommends accepting the bid of FYDA and rejecting all others. The truck to be purchased is for the Road Department and is included in this fiscal year's budget. Motion was made by Judge Pendery, seconded by Commissioner Besecker. All voted "Aye" and the motion passed.

A motion was requested to authorize the purchase of six police fleet vehicles and one administrative vehicle from the KY state master agreement. The exact pricing is not available until the new model year information is released in September 2021. However, a representative from Paul Miller Ford advises that the lead time on police fleet vehicles is already more than 24 weeks and could increase as more entities begin placing orders. The purchase is included in the FY22 police fleet replacement budget at an expected 2% inflationary rate of the FY21 police fleet replacement cost. Due to the lead time, staff is requesting this purchase earlier than usual. Motion was made by Commissioner Besecker, seconded by Judge Pendery. All voted "Aye" and the motion passed.

Resolution R-73-21 was read by title. R-73-21 grants Sheriff Mike Jansen his Quietus for 2020 tax collection. Commissioner Besecker made a motion to adopt R-73-21, seconded by Judge Pendery. All voted "Aye" and the motion passed.

Ms. Schenkel then requested a motion to approve the claims and claims paid per standing order dated August 11 and 18, 2021. County Attorney Steve Franzen advised that he has reviewed the 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 6:10p.m.

Attachments:

Ordinance O-10-21	Amend FY22 Budget
Ordinance O-13-21	Amend Speed Limit
Resolution R-72-21	Set the 2021 Ad Valorem Tax Rates
Ordinance O-14-21	Amend Zoning Map
Resolution R-64-21	Authorize Certain Actions – CDBG-CV Utility Relief Program
Resolution R-65-21	Adopt KYDLG Title VI Plan – CDBG-CV Utility Relief Program
Resolution R-66-21	Adopt Fair Housing Resolution – CDBG-CV Utility Relief Program

Resolution R-67-21 Agreement with NKADD for Grant Administration
Resolution R-68-21 Agreement with NKCAC for Program Administration
Resolution R-69-21 Accept Grant Funds for Spay/Neuter Program
Resolution R-70-21 Contract – Alexandria Fair Board
Resolution R-71-21 Approve Decision of Campbell County Police Merit Board
Resolution R-74-21 Authorize a Vote on the Mallinckrodt PLC Bankruptcy Plan
Resolution R-73-21 Grant Sheriff's Quietus for 2020 Tax Collection
Claims and Claims Paid Per Standing Order dated August 11 and 18, 2021.

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk