

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

June 17, 2009

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, June 17, 2009, 5:30 p.m. at the Fiscal Court offices, 24 West Fourth Street, Newport, Kentucky.

Preceding the opening of the Fiscal Court meeting, a public hearing was held at 5:15 p.m. for the purpose of receiving public comments regarding the possible uses of the County Road Aid and Local Government Economic Assistance funds. Present at the hearing were:

Steve Pendery, Campbell County Judge Executive
David Otto, County Commissioner
James Daley, County Attorney
Robert Horine, County Administrator
Melissa Williams, Director of Administration
Paula Spicer, Fiscal Court Clerk
Jim Seibert, Director of Fiscal Affairs
Colonel Keith Hill, Campbell County Police Department
Sarah Collins, Director of Housing

Jim Seibert, Fiscal Director, opened the public hearing by explaining that the Fiscal Court was seeking public input on the expenditure of State Road Aid Funds in the amount of \$560,775 and Local Government Economic Assistance funds in the amount of \$41,800. There were no comments and Mr. Seibert closed the public hearing at 5:18 p.m.

In attendance at the regular meeting were:

COUNTY JUDGE/EXECUTIVE:
STEVE PENDERY

COUNTY COMMISSIONERS:
DAVID OTTO
KENNETH RECHTIN

Robert Horine	County Administrator
Melissa Williams	Director of Administration
Jim Seibert	Director of Fiscal Affairs
James Daley	County Attorney
Colonel Keith Hill	Chief, Campbell County Police Department
John Austin	Government Relations Manager
Paula Spicer	Fiscal Court Clerk
Sarah Collins	Director of Housing
John Austin	Government Relations Manager
Naguanda Deaton	Director of Human Resources

Peter Klear

Director of Planning and Zoning

The meeting was called to order at 5:30 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 Meeting held on June 3, 2009, were presented by Judge Pendery. Motion was made by Commissioner Otto, seconded by Commissioner Rehtin to approve the minutes. All voted "AYE" and the motion passed unanimously.

Judge Pendery asked if there were any guests that would like to speak. Tim Mulroney, TMS Construction, thanked the Fiscal Court for the project at 10th and Saratoga Streets that was awarded to him. He is a Ft. Thomas resident, and has been in the paving industry for 30 years, and this is the most competitive that he has ever seen the concrete business. He suggested that in the future they continue to bid concrete as an alternate and they may be pleasantly/financially surprised. He thanked them again for the opportunity. Commissioner Otto stated that after all these years on the Fiscal Court, Mr. Mulroney is the first contractor to ever thank them for a job. Robert Horine stated that TMS is doing a good job on the parking lot.

There was one item of Old Business to vote on. Melissa Williams presented Ordinance O-06-09 for second reading and passage consideration. It was read by title and summary given by title. O-06-09 updates the official zoning map for unincorporated Campbell County to rezone an approximate 1.87 acre area located on the southwest side of US 27, 0.75 miles south of the intersection with Creektrace Road, as described in the attached map, from R-RE(P) (Residential Rural Estate-Phased) to HC (Highway Commercial). This amendment was requested by Don Stewart and Ed Krift, and was approved by the Campbell County and Municipal Planning and Zoning Commissioner. Peter Klear, Planning and Zoning Director, was present to answer any questions. Judge Pendery pointed out that this is an extension of Highway Commercial zone, not spot zoning. Commissioner Otto made a motion to adopt O-06-09, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

Ms. Williams proceeded with New Business by presenting Resolution R-75-09 which was read by title and summary given. R-75-09 approves the execution of a contract between Ziegler & Schneider, P.S.C. and the Campbell County Fiscal Court to provide professional legal services to the Campbell County and Municipal Planning and Zoning Commission and the Campbell County and Municipal Board of Adjustment. Judge Pendery stated that they were well served by the previous attorney and it has been a long search to find new legal counsel. Judge Pendery made a motion to adopt R-75-09, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

Resolution R-76-09 was read by title and summary given. R-76-09 authorizes the County Judge/Executive to execute a contract with Alleman LLC d/b/a System 4, to provide general cleaning services for the Campbell County Senior Center for Fiscal Year 2010. This contract is recommended by Pat Dressman, Human Services Director, for cleaning of the Senior Center three times a week at a cost of \$464.00 per month. Commissioner Rehtin made a motion to adopt R-76-09, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Resolution R-77-09 was read by title and summary given. R-77-09 approves the annual Section 8 contract renewal and increase contract and fair market rents for Lakeside Terrace Apartments. The changes are recommended by Sarah Collins, Housing Director, and will be effective July 1, 2009. Commissioner Rehtin made a motion to adopt R-77-09, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Resolution R-88-09 was read by title and summary given. R-88-09 authorizes the Judge/Executive to execute a Memorandum of Understanding with the City of Newport, Kentucky in connection with a Fiscal Year 2009 Justice Assistance Grant from the U.S. Department of Justice. Ms. Williams explained that the grant total is \$19,356.00 with Newport's share being \$15,856.00 and the County's share at \$3,500.00. Newport will act as the grant administrator. Chief Keith Hill recommends that the funds be earmarked for digital in-car video recording. Commissioner Rehtin made a motion to adopt R-88-09, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Resolution R-89-09 was read by title and summary given. R-89-09 authorizes payment of a claim payable from the Community Development Block Grant for the Campbell County Homebuyer Program. Ms. Williams advised that these funds are for the purchase of three additional homes purchased at 2214 New Linden Road, 719 Liberty Street and 729 Liberty Street, Newport. There is one home remaining in this program, and they may have a buyer for it. Commissioner Otto made a motion to adopt R-89-09, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

Melissa Williams next requested a motion to extend the contract for the 2009-2010 school year for William Armstrong as School Resource Officer at Campbell County High School. Campbell County Schools has agreed to continue the contract for a third year with the School District reimbursing the County 50% of the compensation costs. Motion was made by Judge Pendery, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

A motion was requested to extend the contract for the 2009-2010 school year for Gregory Popham as School Resource Officer at Northern Kentucky Cooperative for Educational Services (NKCES). NKCES has agreed to continue the contract for a second year in which they will pay the full compensation costs of the Officer, and the County provides a vehicle and uniforms. Motion was made by Judge Pendery, seconded by Commissioner Otto. Chief Keith Hill announced that on Tuesday, Officer Popham will be receiving the Rookie School Resource Officer of the Year Award for the State of Kentucky. Officer Popham has done a great job and the NKCES is very pleased with him. All voted "AYE" and the motion passed.

Resolution R-81-09 was read by title and summary given. R-81-09 amends the Campbell County Fiscal Court Administrative Code's authorized position list and organizational chart to reflect the change in job title of Head Kennel Technician to Assistant Director to more accurately reflect the duties performed. Ms. Williams stated that there is no change in grade or compensation for the position. Judge Pendery made a motion to adopt R-81-09, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

A motion was requested to approve a compensation increase of 3.5% for all eligible Police Officers, Patrolman through Lieutenant inclusive, of the Campbell County Police Department in accordance with the Working Agreement with the FOP effective July 1, 2009. Motion was made by Judge Pendery, seconded by Commissioner Otto. Judge Pendery noted that this increase is called for in the working agreement with the FOP. All voted "AYE" and the motion passed.

A motion was requested to approve a compensation increase of 2.5% to all eligible non-supervisory employees of the Road and Recreation Departments, excluding seasonal employees in accordance with the Working Agreement with ASFCME effective July 1, 2009. Motion was made by Judge Pendery, seconded by Commissioner Rechlin. Judge Pendery stated that about 25% of the County's employees have negotiated agreements with the Fiscal Court, and this is a reflection of the agreement with ASFCME. All voted "AYE" and the motion passed.

Resolution R-78-09 was read by title and summary given. R-78-09 authorizes a contract with Anthem Blue Cross and Blue Shield to provide medical and life insurance plans to eligible employees of the Campbell County Fiscal Court and Campbell County Detention Center effective July 1, 2009 through June 30, 2010. Naguanda Deaton, Human Resources Director, was present to answer any questions. Judge Pendery made a motion to adopt R-78-09, seconded by Commissioner Otto. Judge Pendery and Commissioner Otto voted "AYE", Commissioner Rechlin voted "NAY" and the motion passed.

Resolution R-79-09 was read by title and summary given. R-79-09 authorizes a contract with Dental Care Plus to offer dental insurance through payroll deduction to all eligible employees of the Campbell County Fiscal Court and Detention Center. Ms. Williams stated that this is a voluntary plan whereby the employee pays the cost if they choose to participate. Judge Pendery made a motion to adopt R-79-09, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

A motion was requested to appoint seasonal employee Brad Messmer as a Park Maintenance Worker effective June 17, 2009 through the 2009 park season at a rate of \$9.91 per hour. Motion was made by Judge Pendery, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Ms. Williams explained that Kentucky Revised Statutes provides that all appointments to Fire Districts expire on June 30 each year. She requested a motion to reappoint Gary W. McCormick to Fire District No. 1 Board for a three year term effective July 1, 2009 through June 30, 2012. Motion was made by Judge Pendery, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

A motion was requested to reappoint David Rust to the Central Fire District Board for a three year term effective July 1, 2009 through June 30, 2012. Motion was made by Judge Pendery, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

A motion was requested to reappoint Michael "Mic" Cooney to the Alexandria Fire District Board for a three year term effective July 1, 2009 through June 30, 2012. Motion was made by Judge Pendery, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

A motion was requested to reappoint Earl Greis to Fire District No. 6 (Melbourne) Board for a three year term effective July 1, 2009 through June 30, 2012. Motion was made by Judge Pendery, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

A motion was requested to reappoint Al Strole to the Southern Fire District Board for a three year term effective July 1, 2009 through June 30, 2012. Motion was made by Judge Pendery, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

A motion was requested to reappoint William Voelker to the Transit Authority of Northern Kentucky (TANK) Board of Directors for a four year term effective July 1, 2009 through June 30, 2013. Mr. Voelker was appointed earlier this year to fill the unexpired term of Jim Daley, and is willing to accept an additional four year appointment. Motion was made by Judge Pendery, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

A motion was requested to reappoint Brett Ruschman to the Campbell County Cable Board for a two year term effective July 1, 2009 through June 30, 2011. Motion was made by Judge Pendery, seconded by Commissioner Rechlin. All voted "AYE" and the motion passed.

A motion was requested to reappoint Tom Quirk to the Campbell County Cable Board for a two year term effective July 1, 2009 through June 30, 2011. Motion was made by Judge Pendery, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Robert Horine stated that the only updates on the Federal Stimulus Program are the next two items on the agenda. He presented Resolution R-85-09 which was read by title and summary given. R-85-09 authorizes an application to the U.S. Department of Energy for an Energy Efficiency and Conservation Block Grant. Mr. Horine recalled that the County was notified that it would receive \$351,600.00 in direct federal aid under this program. The deadline for the initial application is June 25, 2009, and then the County has an additional 120 days to submit a more detailed application including the local energy efficiency conservation strategy. Staff will report back to the Fiscal Court with a recommendation on how the funds might be used. Commissioner Otto made a motion to adopt R-85-09, seconded by Commissioner Rechlin. Judge Pendery asked how the application will be submitted – by regular mail or online. John Austin replied that the application will be submitted online and he will ensure that they receive a confirmation. All voted "AYE" and the motion passed.

Resolution R-86-09 was read by title and summary given. R-86-09 expresses intent to participate in the Northern Kentucky Energy Collaborative. Mr. Horine explained that Campbell County will join with four other local governments in Northern Kentucky who will receive Energy Efficiency and Conservation Block Grant (EECBG) funds to participate in a collaborative and work with the Cincinnati/Northern Kentucky Energy Alliance to provide direct assistance to residents and businesses in Campbell County. Campbell County will designate \$58,500.00 of its \$351,600.00 federal aid to be used as part of this joint effort; it is an eligible expense of block grant funds. These funds will be used to leverage additional funds from the State and to seek additional competitive block grant funds available through the federal government. The City of Cincinnati has been working on this for some months to create the administrative structure to provide for implementation of the program. Andy Holzhauser,

Project Manager for the Cincinnati/Northern Kentucky Energy Alliance was present at the meeting. Commissioner Rehtin asked if the Fiscal Court will be presented with an agreement or contract with the other participating governments prior to implementation of the program. Mr. Horine confirmed that, stating that staff will keep the Court up to date on the progress of the Alliance. Judge Pendery made a motion to adopt R-86-09, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Resolution R-87-09 was read by title and summary given. R-87-09 authorizes payment to Southbank Partners, Inc. for the Riverfront Commons Project. Mr. Horine recalled the presentation on the Riverfront Commons project at the June 3, 2009 Fiscal Court meeting. This resolution will authorize \$25,000.00 for the project. Judge Pendery made a motion to adopt R-87-09, seconded by Commissioner Otto. Commissioner Rehtin stated that this is a great project, but expressed some concerns: lack of participation by the City of Newport (the most direct beneficiary of the project), lack of oversight by the County, and he would like to see a detailed budget on how the money will be spent. Commissioner Otto stated that he is disappointed that Newport is not on board with this project. Laura Long has advised him that Newport will come along. He stated that it is a great project and he believes that the Cities of Ft. Thomas, Bellevue and Dayton have contributed. He agreed that Newport is the biggest beneficiary of the project. He also has concerns about the budget and accountability from Southbank to the County. Judge Pendery stated that it is a work-in-progress; it is the County's responsibility to keep tabs on the project and see that there is accountability. It is an exciting project; however there are a lot of uncertainties. Commissioner Otto stressed representation by the Fiscal Court. Commissioner Rehtin stated that Kenton County needs to be represented too. All voted "AYE" and the motion passed.

Judge Pendery announced that the next phase of the US 27 project is still set for letting on June 26, 2009.

Judge Pendery next called on the Fiscal Director for his report. Jim Seibert requested a motion to award bids for materials for the Road Department as recommended by Ken Schultz, Road Department Director. He read the list of vendors and the supplies that they will provide. Motion was made by Commissioner Rehtin, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Resolution R-73-09 was read by title and summary given. R-73-09 accepts the proposal of Van Gorder, Walker & Company for the audit of component units of the County. Mr. Seibert advised that the audit fees range from \$21,000.00 for the first year to \$22,400.00 for the third year, which is quite a savings over previous years. Commissioner Rehtin made a motion to adopt R-73-09, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Resolution R-83-09 was read by title and summary given. R-83-09 adopts and approves the execution of a County Road Aid Coop Program contract between the Fiscal Court and the Commonwealth of Kentucky, Transportation Cabinet, Department of Governmental Relations, for the fiscal year beginning July 1, 2009, as provided in the Kentucky Revised Statutes and accepting all roads and streets referred to therein as being a part of the County Road System.

Commissioner Rechtin made a motion to adopt R-83-09, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Resolution R-84-09 was read by title and summary given. R-84-09 adopts and approves the execution of a Municipal Aid Coop Program Contract between the Fiscal Court of said County acting for the Unincorporated Census Designated Place and the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid for the fiscal year beginning July 1, 2009, as provided in the Kentucky Revised Statutes and accepting all of the roads referred to therein as being urban roads which are a part of the Unincorporated Census Designated Place. Commissioner Rechtin made a motion to adopt R-84-09, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Mr. Seibert presented O-05-09 for second reading and passage consideration. It was read by title and summary given by title. O-05-09 relates to the annual budget and appropriations of Campbell County, Kentucky for the fiscal year 2009-2010 (FY10). Judge Pendery made a motion to adopt O-05-09, seconded by Commissioner Otto. Commissioner Rechtin stated that he was going to vote No on the budget ordinance. The budget calls for an increase in receipts of property tax and payroll tax, and that is not a realistic expectation. Even though they are calling for an end to the recession probably in the third quarter of this calendar year, payroll is always a lagging indicator and they probably won't see a gain in payroll tax until early in the next calendar year. He is not comfortable with the revenue side of the budget, and they've discussed items on the expenditure side. Judge Pendery stated that he agrees with Commissioner Rechtin, however the budget was formulated a couple of months ago, and they may not have the revenue picture that the budget expects. However, since he's been on the Fiscal Court, every budget has been a work in progress and often is \$1.5-\$2 million out of line compared to the way revenues are brought in. The Fiscal Court is required to file a budget, and he hopes that they beat the budget by several million dollars. The budget is set as a goal and will be adjusted as needed. Commissioner Rechtin stated that he has expressed concerns about this budget a number of times. A budget should be a realistic expectation of what receipts are going to be. He realizes that this budget is acceptable to the state because it is balanced, but there are expenses that are not going to happen yet that are in the budget. Judge Pendery and Commissioner Otto voted "AYE", Commissioner Rechtin voted "NAY".

Resolution R-80-09 was read by title and summary given. R-80-09 authorizes the adoption of the Fiscal Year 2009-2010 Public Properties Corporation budget for the Golf Course, Housing Department, Lakeside Terrace Senior Apartments and the Public Properties Fund. Judge Pendery made a motion to adopt R-80-09, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Resolution R-82-09 was read by title and summary given. R-82-09 approves funding for the Transit Authority of Northern Kentucky for Fiscal Year 2010. Mr. Seibert stated that the amount of funding for the Transit Authority (TANK) is \$4,182,191.00. Judge Pendery made a motion to adopt R-82-09, seconded by Commissioner Otto. Commissioner Rechtin stated that there is a significant decrease in ridership, and he'd like to know what is being done to address the ridership issue. Judge Pendery stated that when the gas prices went up, ridership increased. When gas prices fell, ridership decreased; whether it will respond again since gas prices are

going up is uncertain. He stated that they could get a report from TANK. TANK has cut their budget in a big way over the last couple of years, drawing on reserves, to the point where a legislative solution is needed to avoid cuts in routes or rate increases. Commissioner Rechlin stated that each route needs to be examined. The Southbank Shuttle has been losing ridership. Campbell County is increasing its contribution, while everybody else is going down. Judge Pendery suggested having a representative from TANK come to a Fiscal Court meeting. Jim Seibert stated that there was a newspaper article reporting that Cincinnati Metro has seen significant drops in ridership which they are blaming on the economy and unemployment. All voted "AYE" and the motion passed.

Mr. Seibert requested a motion to approve the transfers as presented for June 17, 2009. Motion was made by Commissioner Rechlin, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Mr. Seibert then requested a motion to approve the claims and supplemental claim as presented for June 17, 2009. County Attorney James Daley stated that he has reviewed the claims and all appear appropriate. Motion was made by Commissioner Otto, seconded by Commissioner Rechlin. All voted "AYE" and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Rechlin made a motion to adjourn, seconded by Judge Pendery. All voted "AYE" and the meeting adjourned at 6:25 p.m.

Attachments:

Ordinance O-06-09	Zoning Map Amendment
Resolution R-75-09	Contract for Professional Legal Services
Resolution R-76-09	Contract for Cleaning Services at Senior Center
Resolution R-77-09	Annual Section 8 Renewal Contract for Lakeside Terrace
Resolution R-88-09	Memorandum of Understanding with City of Newport
Resolution R-89-09	Payment from Homebuyer Program
Resolution R-81-09	Amend Administration Code & Authorized Position List
Resolution R-78-09	Contract for Health/Life Insurance
Resolution R-79-09	Contract for Dental Insurance
Resolution R-85-09	Application for Energy Efficiency & Conservation Block Grant
Resolution R-86-09	Participation in Northern Kentucky Energy Collaborative
Resolution R-87-09	Payment to Southbank Partners, Inc.
Resolution R-73-09	Accept Proposal for Auditing Services
Resolution R-83-09	Contract for Road Aid Funds
Resolution R-84-09	Contract for Road Aid Funds for Unincorporated Area
Ordinance O-05-09	FY2010 General Fund Budget
Resolution R-80-09	FY2010 Budgets for Public Properties, A J Jolly Golf Course, Campbell County Housing Department and Lakeside Terrace Senior Apartments
Resolution R-82-09	FY2010 Funding for Transit Authority of Northern Kentucky

Transfers of June 17, 2009
Claims and Supplemental Claim of June 17, 2009

Approved:

STEVE PENDERY
Campbell County Judge/Executive

Attest:

Paula K. Spicer
Fiscal Court Clerk