

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

MAY 18, 2016

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, May 18, 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.

Judge Pendery asked for a moment of silence followed by the Pledge of Allegiance. Following roll call, a quorum was declared present.

Preceding the opening of the Fiscal Court meeting, a public hearing was held at 5:30 p.m. to receive public comment on the possible uses of County Road Aid and Local Government Economic Assistance Funds. 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
Lieutenant Jeremy Newberry, Campbell County Police Department
Frank Spataro, Human Resources Director

Judge Pendery called on Marie Schenkel, Finance Director to conduct the public hearing. Ms. Schenkel read the legal notice that was published in the *Campbell County Recorder*. She advised that the funds available this year from the State are \$653,267 in County Road Aid (CRA) and \$69,276 in Local Government Economic Assistance (LGEA). The amount of funds has been declining over the years due to a reduction in the gasoline tax. This year's CRA allocation is about \$20,000 less than last year. There being no questions or comments, the public hearing was closed at 5:37pm.

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
Lieutenant Jeremy Newberry	Campbell County Police Department
Frank Spataro	Human Resources Director

The regular meeting was called to order at 5:37 p.m. by Judge Pendery.

Minutes from the Fiscal Court regular meeting of May 4, 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-02-16 by title and summary. O-02-16 amends the Campbell County Code of Ordinances at Section 90.10 “Mandatory Spay/Neuter Program for County Animal Shelter” to provide that all dogs and cats adopted from the Animal Shelter shall be surgically altered prior to adoption to prevent breeding. The amendment further provides that if an animal is too young to be surgically altered, the adopter shall deposit \$10 cash/check to hold the animal for pick up once it has been altered. Judge Pendery made a motion to adopt O-02-16, seconded by Commissioner Painter. Judge Pendery stated that this is an effort to prevent the destruction of animals at shelters everywhere. He further stated that even if feral cats and dogs were trapped and neutered and then released or adopted, it would reduce the number of animals dropped off at the Shelter and reduces the number of euthanasia. All voted “AYE” and the motion passed.

Ordinance O-03-16 was presented for a second reading by title and summary. O-03-16 updates the official zoning map for unincorporated Campbell County to rezone an approximate 10 acres located at and around 10225 Alexandria Pike in unincorporated Campbell County, Kentucky from I-1 (Industrial One) to HC (Highway Commercial) Zone. Commissioner Lampe made a motion to adopt O-03-16, seconded by Commissioner Painter. Commissioner Coleman stated that at the last meeting Cindy Minter said that the subject property was by Bob Huber Drive. He wanted to clarify the location. After discussion it was determined that it is the Smith & Jolly property between US 27 and Old US 27 at Bud Pogue Way (FKA Bob Huber Drive). All voted “AYE” and the motion passed.

New business was then presented with a first reading of Ordinance O-05-16 by title and summary. O-05-16 enacts and adopts the 2016 S-32 Supplement to the Code of Ordinances of the County of Campbell, Kentucky to include legislation adopted from July 30, 2015 through December 31, 2015. No vote was taken on the first reading of this ordinance.

Resolution R-39-16 was read by title and summary given. R-39-16 accepts the Kentucky Highway Department's recommendations for the Fiscal Year 2016-2017 Rural Secondary Road Program and approves submission for use of flex funds at a later date. The County Road Supervisor has reviewed and agrees with the recommendations, and will submit his recommendation for use of flex funds on a County Road at a later date. Commissioner Coleman made a motion to adopt R-39-16, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-40-16 was read by title and summary given. R-40-16 amends the Campbell County Police Policy and Procedure Manual at the following Chapters: 5J.1 Body Worn and Mobile Video Records, 6F Eyewitness Identification, 12A.1 Juveniles, 13C.1 Weapons Policy, 13F.1 Uniform and Appearance and 16B.1 Civil Disturbance, Demonstrations and Disobedience. The amendments as recommended by Police Chief Craig Sorrell were reviewed and approved by the Campbell County Police Force Merit Board and the County Attorney. Commissioner Coleman made a motion to adopt R-40-16, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to appoint Robert Fickenschier as a seasonal Parks and Recreation Maintenance Worker effective May 19, 2016 at an hourly rate of \$10.67. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to appoint Alexandria Barber and Briana Ellis as unpaid Administration Interns effective May 19, 2016. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to appoint Kayla Greis as a full-time Animal Technician at the Animal Shelter effective May 23, 2016 with compensation set at pay grade 8, \$13.32 per hour or \$27,706 annually, with total annual benefit cost of \$12,795. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to reappoint Steve Stapleton and Mark Turner to the Campbell County and Municipal Planning and Zoning Commission for a four year term effective July 1, 2016 through June 30, 2020. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to reappoint Alan Bernstein to the Northern Kentucky Convention and Visitors Commission for a three year term effective August 1, 2016 through July 31, 2019. Motion was made by Judge Pendery, seconded by Commissioner Painter. Judge Pendery explained how the members are appointed to the Convention and Visitors Commission upon receiving recommendations from various facets of the hospitality industry. He stated that the Convention and Visitors Commission meetings are very educational. All voted "AYE" and the motion passed.

A motion was requested to appoint Chris Thomas to fill the unexpired term of Rodney Crook on the Northern Kentucky Convention and Visitors Commission effective May 19, 2016 through

July 31, 2017. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to reappoint Wayne Carlisle to the Northern Kentucky Convention Center Corporation Board of Directors for a four year term effective July 15, 2016 through July 14, 2020. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to reappoint Charles Pettit to the Central Campbell Fire District Board of Trustees for a three year term effective July 1, 2016 through June 30, 2019. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to reappoint Doug Carmack to the Alexandria Fire District Board of Trustees for a three year term effective July 1, 2016 through June 30, 2019. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Steve Franzen stated that at the last Fiscal Court meeting they met in executive session to discuss authorizing the County Attorney to file a lawsuit on behalf of the Property Valuation Administration. The issue is still not resolved and he would like to go on the record to authorize the County Attorney to file a lawsuit as discussed in executive session on May 4, 2016. Motion was made by Judge Pendery, seconded by Commissioner Coleman. All voted "AYE" and the motion passed.

Commissioner Painter stated that at the last meeting a resolution authorizing interlocal agreements was adopted subject to the County Attorney's review. He asked the County Attorney the status of the resolution and agreements. Mr. Franzen advised that the draft agreements containing his suggested changes were sent out to the cities this week.

Commissioner Coleman asked if people are working in the Northern Kentucky Office of Drug Control Policy. Judge Pendery explained that the three Judge/Executives interviewed three candidates. Ideally they would like to have one of the predecessors in that office to run the office. Kim Moser is the most likely one, however she is not eligible to be paid anything until next year and by then they hope to have a funding source for salary. Ms. Moser has voluntarily interviewed the same three candidates interviewed by the Judge/Executives. She will meet with the Judge/Executives to plan the next step for the office staying within the budget and resources for the office until the end of the year.

Commissioner Lampe thanked Tammy Weidinger and Becky Timberlake of Brighton Center for taking him on a tour of their facility where he saw firsthand the effect that their services have on the community.

Judge Pendery announced that the Friends of Evergreen Cemetery will hold its First Annual "Explore Evergreen" event on Saturday, May 21, 2016 from noon to 3:00pm rain or shine. The free event will have refreshments, historical tours of the cemetery, volunteer recruitment and kickoff of the "adopt a section" preservation effort.

Marie Schenkel requested a motion to authorize staff to solicit bids for stone, culvert pipe, hot mix asphalt and fuel (gasoline and diesel) for use by the Campbell County Road Department during Fiscal Year 2017. Motion was made by Commissioner Painter, seconded by Judge Pendery. All voted "AYE" and the motion passed.

A motion was requested to declare certain County-owned property as surplus and authorize disposal of same through an online auction. A list of property was previously provided to the Fiscal Court. Ms. Schenkel explained that the Fiscal Court does this twice a year and the property will be sold on govdeals.com. Motion was made by Commissioner Lampe, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to accept the bid of Cargill, Incorporated-Deicing Technology Business for road salt at \$64.48 per ton. The bid was received through the KACo reverse auction held on May 12, 2016. The cost per ton is about \$7.41 less than last year. Motion was made by Judge Pendery, seconded by Commissioner Painter. Ms. Schenkel explained how the reverse auction process works. All voted "AYE" and the motion passed.

Resolution R-41-16 was read by title and summary given. R-41-16 renews a contract with the Kentucky Association of Counties for Workers' Compensation Insurance Coverage effective July 1, 2016 through June 30, 2018. The anticipated annual premium for Fiscal Year 2017 is \$327,302. Ms. Schenkel stated that this is a 15 percent increase due to 27 pays in 2017 and the increase in jail wages due to the expansion of the jail. Judge Pendery made a motion to adopt R-41-16, seconded by Commissioner Coleman. All voted "AYE" and the motion passed.

Resolution R-42-16 was read by title and summary given. R-42-16 renews a contract with the Kentucky Association of Counties All Lines Fund for property and liability insurance coverage effective July 1, 2016 through June 30, 2018. The premium for Fiscal Year 2017 is \$432,414 which is unchanged from last year. Judge Pendery made a motion to adopt R-42-16, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to adopt the Fiscal Year 2017 Annual Standing Order to preapprove certain recurring expenses. State law allows the Fiscal Court to adopt an order preapproving payment of monthly payroll and utility expenses. Motion was made by Commissioner Coleman, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Ordinance O-04-16 was presented for a first reading by title and summary. O-04-16 relates to the annual budget and appropriations of Campbell County, Kentucky for the Fiscal Year 2016-2017. Total expenditures are \$41,667,573. Ms. Schenkel stated that some things affecting the budget are 27 pays in FY 17 which happens every 11 years when paid on a bi-weekly cycle adding about \$500,000 to the expenditures, and the jail expansion adding about \$800,000. Completion of the jail construction next year will result in a \$3.5 million reduction in jail construction costs in the budget vs. last year. Judge Pendery stated that he will address the budget when it has a second reading and is adopted. He stated that for the first time in his 33-34 years in office there will be a deficit in a budget that he has supervised. This year, ending in July, \$800,000 - \$1 million is expected to be drawn from reserves in order to cover expenses. The deficit is due to the continuing expenses associated with the heroin epidemic, not because of

treatment efforts, but to efficiently handle people lodged in jail. As many as one half of the inmates that have drug issues are there because of heroin problems. The jail has been overcrowded for some time and it has been expanded, the staff required for a larger institution is more expensive so the County is spending about \$3 million this year more than a few years ago. The prospects for next year are more discouraging. Staff has already cut things that can be conveniently cut and there is still a \$2.5 million deficit to work on. Judge Pendery suggested in his meetings with Commissioners that over the course of the coming year they need to find cuts and bring the deficit down from \$2.5 million to about \$1 million. Despite having what some consider as substantial reserves, there is a limit as to how much of those reserves he is willing to use. Judge Pendery stated that the four Fiscal Court members will have to work together to close the gap so that in a year or two they are in the black again. Commissioner Coleman thanked Marie Schenkel and Matt Elberfeld for helping him to understand the budget; it is difficult to understand. He stated that there are roughly \$41 million in expenses and about \$38 million in revenue. His concern is where the government gets money – from the taxpayer. He stated that the Fiscal Court won't know until July the tax rate needed to meet the budget. It will be a difficult decision for him – you either have to raise taxes or make cuts. He asked if it is prudent to vote for a deficit budget. Commissioner Coleman stated that Mr. Elberfeld told him that the budget is a toolbox and just because money is in the budget doesn't mean that they have to spend it. He is leery that if it is in the budget it will be spent. Ms. Schenkel advised that the second reading of the budget will be on June 15 due to the budget being sent to the Department of Local Government for approval prior to the second reading. Commissioner Coleman asked Ms. Schenkel to explain the 27 pay periods. Ms. Schenkel stated that if an employer is on a biweekly cycle there are 26 pays per year. Since there are 365 days per year, every 11 years there is an extra pay cycle which affects everyone who pays on a biweekly cycle. Commissioner Coleman reiterated that the 27 pays will cost the Fiscal Court approximately half million dollars more. Judge Pendery added that the extra pay also affects the cost of workers' compensation which is based on payroll.

Ms. Schenkel requested a motion to approve the claims as presented for May 18, 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 Painter. 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 Judge Pendery. All voted "AYE" and the meeting adjourned at 6:20 p.m.

Attachments:

Ordinance O-02-16	Amend Animal Shelter Mandatory Spay/Neuter Program
Ordinance O-03-16	Zoning Map Amendment
Ordinance O-05-16	Adopt Code of Ordinances Supplement
Resolution R-39-16	Accept Recommendation for Rural Secondary Road Funds
Resolution R-40-16	Amend Police Policy and Procedure Manual
Resolution R-41-16	Renew Contract for Workers' Compensation Insurance
Resolution R-42-16	Renew Contract for Property & Liability Insurance
Ordinance O-04-16	Adopt FY 2017 Budget

Claims

May 18, 2016

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk