

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

JULY 17, 2019

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, July 17, 2019 at 5:30 p.m. at the Campbell County Administration Building, Fiscal Court Chambers, 1098 Monmouth Street, Newport, Kentucky.

In attendance at the meeting were:

COUNTY/JUDGE EXECUTIVE
STEVE PENDERY

COUNTY COMMISSIONERS
GEOFF BESECKER
TOM LAMPE
BRIAN PAINTER

Pat Walsh
Matt Elberfeld
Paula Spicer
Kim Serra
Marie Schenkel
Colonel Craig Sorrell
Mary Stowers

Assistant County Attorney
County Administrator
Fiscal Court Clerk
Assistant County Administrator
Finance Director
Police Chief
Human Resources Director

The meeting was called to order at 5:30 p.m. by Judge Pendery. Cable access was present to film the meeting.

Judge Pendery asked for a moment of silence and requested that those present keep Major Gracy Nagel and her family in their thoughts and prayers. Major Nagel was killed in an automobile accident on July 14. She was a 22-year employee of the Campbell County Detention Center and is survived by her husband and two children. The Pledge of Allegiance followed.

Following roll call, a quorum was declared present.

Minutes from the Fiscal Court regular meeting of June 19, 2019 and special meeting of June 28, 2019 were presented. Commissioner Besecker made a motion to approve the June 19, 2109 minutes, seconded by Commissioner Painter. All voted "AYE" and the motion passed. Commissioner Besecker then made a motion to approve the June 28, 2109 minutes, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Judge Pendery noted that Gil and Gillian Marksberry were present at the meeting due to a zoning matter that is on the agenda for approval. Mr. Marksberry choose to reserve his comments until later in the meeting in the event that there were questions about his project.

Judge Pendery then proceeded with the agenda beginning with old business

Paula Spicer presented Ordinance O-07-19 for a second reading. O-07-19 adopts a new list of County Maintained Roads. Commissioner Lampe made a motion to adopt O-07-19, seconded by Judge Pendery. Mr. Elberfeld explained that there are no changes to the roads maintained by the County, this ordinance simply cleans-up and uses consistent language in the ordinance. Commissioner Besecker asked if there is a reason that a change was made from "Road" to "Drive". He stated that Morningview was always known as "Road" but is now changed to "Drive". The sign says "Drive" now instead of "Road". Mr. Elberfeld stated that he can ask the Road Supervisor and Planning & Zoning Director about the change, and the second reading can be tabled if necessary. Commissioner Besecker asked that the ordinance be tabled to the next meeting if it is not pressing. Judge Pendery agreed to table the ordinance.

Ordinance O-08-19 was presented for a second reading. O-08-19 updates the Official Zoning Map for unincorporated Campbell County to rezone an approximate 8.75 acres located at the intersection of Upper Tug Fork and Lower Tug Fork Roads from Residential Rural Estate (R-RE) to Agricultural One (A-1). Commissioner Lampe made a motion to adopt O-08-19, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Ordinance O-09-19 was presented for a second reading. O-09-19 amends the text of the Official Zoning Ordinance for unincorporated Campbell County, Kentucky to designate police, fire and utility stations as Conditional Uses in the Residential One A (R-1A) Zone and adding related definitions. Commissioner Painter made a motion to adopt O-09-19, seconded by Commissioner Besecker. All voted "AYE" and the motion passed.

Ordinance O-10-19 was presented for a second reading. O-10-19 adopts the Kentucky Uniform Residential Landlord and Tenant Act. Judge Pendery made a motion to adopt O-10-19, seconded by Commissioner Besecker. Judge Pendery stated that this action will bring the County's regulations into line with other cities within the County, many of whom have adopted the Act much earlier. All voted "AYE" and the motion passed.

New business was then presented beginning with Resolution R-71-19. R-71-19 authorizes the Judge/Executive to execute an Agreement of Affiliation with the Greater Cincinnati Crime Stoppers. Judge Pendery made a motion to adopt R-71-19, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-72-19 was read by title. R-72-19 authorizes the Judge/Executive to execute an Affiliation Agreement with the Northern Kentucky Technical Rescue Team for rescue services during certain emergencies. Judge Pendery made a motion to adopt R-72-19, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-73-19 was read by title. R-73-19 authorizes the Judge/Executive to execute an agreement with Tylers Towing & Recovery LLC for towing and recovery services. Commissioner Besecker made a motion to adopt R-73-19, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-76-19 was read by title. R-76-19 authorizes an Agreement in the amount of \$136,312 with the Kentucky Department of Transportation, Department of Rural and Municipal Aid for use of Fiscal Year 2020 Flex funds on Plum Creek Road and Rifle Range Road. Judge Pendery made a motion to adopt R-76-19, seconded by Commissioner Besecker. All voted "AYE" and the motion passed.

A motion was requested to advance Joseph Whaley from a Road Maintenance Specialist II (\$25.30/hour) to a Road Maintenance Specialist III (\$28.47/hour) effective July 22, 2019 in accordance with the current AFSCME working agreement. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to appoint Thomas Lakes as a Police Officer with the Campbell County Police Department effective July 18, 2019 with compensation set at grade PO7 (\$60,799.42 annually or \$29.23 hourly). Motion was made by Judge Pendery, seconded by Commissioner Besecker. Judge Pendery commented that Officer Lakes will be back to work in Silver Grove. All voted "AYE" and the motion passed.

A motion was requested to authorize the Judge/Executive to execute an Employment Agreement with Amanda J. Donelan to serve as a School Resource Officer effective July 18, 2019 with compensation set at \$44,133.44 annually or \$21.2180 hourly. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to accept the resignation of Police Officer Carl Harris effective July 27, 2019. Motion was made by Judge Pendery, seconded by Commissioner Lampe. Commissioner Besecker stated that he did not know Officer Harris, but wishes him well. All voted "AYE" and the motion passed.

A motion was requested to reappoint Tom Lampe and John Muller to the Northern Kentucky Area Development District Board of Directors as citizen representatives for a three-year term. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to reappoint Alan Bernstein to the Northern Kentucky Convention and Visitor's Commission for a three-year term effective August 1, 2019 through July 31, 2022. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to reappoint John Ellison to the Northern Kentucky Convention and Visitor's Commission for a three-year term effective August 1, 2019 through July 31, 2022. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Judge Pendery acknowledged Gil and Gillian Marksberry. He stated that they made their requested zone change so easy; some zoning matters can be problematic. The Marksberrys were concerned about their neighbors and officials, and took the responsibility to explain the business and zone change request to them and invite them to see their business.

Matt Elberfeld presented Resolution R-74-19 by title and summary. R-74-19 authorizes the Judge/Executive to execute an agreement with the Northern Kentucky Water District for a Hillview Drive road improvement project. Mr. Elberfeld explained that the Water District will replace a water main on Hillview in a few weeks which will take the rest of the construction season. The County plans to rebuild the road and is in the process of advertising for the construction. He stated that the County is coordinating its work schedule with the Water District. The County has agreed to help the Water District with the cost of doing mill and fill on the site to get through the winter. He and staff believe that this is the best way to do the project. This project will take more than one construction season and it make sense to get the water main installed first then the County will replace the road. He stated that the County would have likely had to spend money to stabilize the road over the winter so it is beneficial to have the water main installed first. He added that past projects with the Water District have been successful. Judge Pendery made a motion to adopt R-74-19, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Mr. Elberfeld asked Commissioner Besecker if the sign on Morningview now says "Road"? Commissioner Besecker stated that it says "Drive". Mr. Elberfeld stated that he is looking at a road list from April 2017 and it is listed as "Morningview Dr." He added that Luke Mantle's memo notes that the change is from "Dr." to "Drive". Commissioner Besecker stated that it has always been referred to as Morningview Road and at one time the sign said "Road". Mr. Elberfeld stated that he will confirm with Mr. Mantle, but it looks like it was never officially "Road" – it was always "Drive" – at some point an incorrect sign may have been installed. The ordinance changes it from "Dr." to "Drive". Perhaps it was called Road, but was officially listed as Morningview Drive.

Commissioner Besecker thanked the State Road Department for working diligently on the slide on Route 9. The roadway is not completely open yet, but over 500 truckloads of dirt were transported and dumped near the Ohio River. He thanked the travelers and residents for their patience during the clean-up. Hopefully it will be completed shortly so that they can move on to other weather-related problem areas.

Judge Pendery announced that the Backroads Farm Tour will be held on July 20, 2019 from 9am-3pm. Twelve Campbell County farms and wineries will be open to the public for this annual event presented by the Campbell County Conservation District.

Judge Pendery announced that the Festival on the Lake will be held at A J Jolly Park on August 10, 2019 beginning at 4pm. Tickets are \$5 at the gate. Advance ticket sales including VIP tickets are available at www.thesteelwoods.com.

Judge Pendery announced that Farmula Fest will be held at A J Jolly Park on August 23-24, 2019. Seventeen bands will play a range of music along with outdoor activities, food and drinks. Information and tickets are available at www.farmulafest.com.

Marie Schenkel presented Resolution R-75-19 by title. R-75-19 authorizes the Judge/Executive to execute a contract with the Ohio-Kentucky-Indiana Regional Council of Governments to provide services to the Campbell County Fiscal Court for Fiscal Year 2020. The amount of the agreement is \$30,740 just a slight increase over last year's agreement. Commissioner Painter made a motion to adopt R-75-19, seconded by Judge Pendery. All voted "AYE" and the motion passed.

A motion was requested to contract with Rave Mobile Safety for a public notification system for the Office of Emergency Management. The contract will be for a term of three years with an initial payment of \$18,200. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to authorize a lease agreement with LEAF Capital & DCS Technologies Corporation for lease of a copier for the Detention Center. The monthly lease payment is \$542.51 which includes three machines and 37,000 pages of printing per month. Motion was made by Commissioner Lampe, seconded by Judge Pendery. All voted "AYE" and the motion passed.

A motion was requested to authorize the purchase of 11 mobile radios, 2 portable radios and all necessary equipment and programming from Southern Communications & Consultants Inc. in the amount of \$28,801.76 for the Road Department. The pricing is a result of a request for proposals made by the NKADD on behalf of Boone, Campbell and Kenton Counties. The cost is included in the FY2020 Road Department budget. Motion was made by Judge Pendery, seconded by Commissioner Painter. Commissioner Besecker clarified that this is going to interface with the new digital radio system so that the Road Department can communicate with other departments. Mr. Elberfeld concurred. All voted "AYE" and the motion passed.

A motion was requested to authorize the purchase of a John Deere 6110M cab tractor and mowing deck from Meade Tractor in the amount of \$140,088.95 for the Road Department. The price is from the Kentucky Master Agreement and the cost is included in the FY2020 Road Department budget. Motion was made by Judge Pendery, seconded by Commissioner Painter. Mr. Elberfeld explained that this is a roadside mower with a boom arm to cut brush. It will replace a 25-year-old tractor. The new one has a cab so it is safer and will allow mowing in the rain. Commissioner Besecker stated that Leroy Hancock is very skilled in operating this type of equipment. Commissioner Painter stated that with 172 miles of road the Department puts a lot of hours on its tractor. All voted "AYE" and the motion passed.

A motion was requested to authorize the purchase of five Ford Police Interceptor Utility AWD vehicles from Paul Miller Ford using State Contract pricing. The base cost of three standard gasoline engine vehicles is approximately \$32,925 each and the base cost of two hybrid engine vehicles is approximately \$36,040 each for a total purchase of \$170,855. The purchase is budgeted. Motion was made by Commissioner Lampe, seconded by Judge Pendery. Chief

Sorrell believes that there will be a savings using the hybrid vehicles. They will know over the next year or two. All voted “AYE” and the motion passed.

Ms. Schenkel requested a motion to approve budget transfers for FY2019 HUD funding dated June 30, 2019. Additional HUD funding was received and was spent on the Housing Choice Voucher Program. Motion was made by Judge Pendery, seconded by Commissioner Besecker. All voted “AYE” and the motion passed.

A motion was requested to approve budget transfers as presented for July 17, 2019. Ms. Schenkel explained that the transfers do not increase the overall budget they only reallocate certain funds. Motion was made by Judge Pendery, seconded by Commissioner Besecker. All voted “AYE” and the motion passed.

Ms. Schenkel then requested a motion to approve the claims and supplemental claims as presented for May 15, 2019. Assistant County Attorney Pat Walsh advised that the County Attorney has reviewed the claims and supplemental claims and determined that they all appear appropriate. Commissioner Besecker made a motion to approve the claims, seconded by Commissioner Lampe. 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 6:12 pm.

Attachments:

Ordinance O-08-19	Zoning Map Amendment
Ordinance O-09-19	Zoning Text Amendment
Ordinance O-10-19	Adopt Kentucky Uniform Residential Landlord & Tenant Act
Resolution R-71-19	Agreement with Greater Cincinnati Crime Stoppers
Resolution R-72-19	Agreement with NKY Technical Rescue Team
Resolution R-73-19	Agreement for Towing and Recovery Services
Resolution R-76-19	Agreement with KYTC Department of Rural and Municipal Aid
Resolution R-74-19	Agreement with NKY Water District
Resolution R-75-19	Contract with OKI
Budget Transfers-HUD Funding	
Budget Transfers	
Claims and Supplemental Claims	

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk