

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

December 3, 2008

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, December 3, 2008, 7:00 p.m. at the Campbell County Courthouse located at 8352 East Main Street, Alexandria, Kentucky.

In attendance at the meeting were:

COUNTY JUDGE/EXECUTIVE:
STEVE PENDERY

COUNTY COMMISSIONERS:
DAVID OTTO
KENNETH RECHTIN
MARK HAYDEN

Robert Horine	County Administrator
Melissa Williams	Director of Administration
Jim Seibert	Director of Fiscal Affairs
Justin Verst	County Attorney
Col. Keith Hill	Chief, Campbell County Police Department
Greg Buckler	Campbell County Jailer
David Plummer	Administrative Assistant
Naguanda Deaton	Human Resources Director
Peter Klear	Planning and Zoning Director
Ken Knipper	Office of Emergency Management Director
Ken Schultz	Road Department Director
Paula Spicer	Fiscal Court Clerk
Jack Snodgrass	Campbell County Clerk

The meeting was called to order at 7:00 p.m. by Judge Pendery. Cable Access was present to film the meeting.

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

Minutes, as corrected, from the regular Fiscal Court Meeting held on November 19, 2008 were presented. Motion was made by Commissioner Otto, seconded by Commissioner Hayden, to approve the minutes. All voted "AYE" and the motion passed unanimously.

Jack Snodgrass, Campbell County Clerk, presented a report on the November 4, 2008 general election. The turnout in Campbell County for the election was 68.2%, one of the highest in the state. Campbell County was the first county in the state to have its results in. He thanked his staff and the 400+ volunteers for their hard work. Judge Pendery congratulated Mr. Snodgrass on his office's performance.

David Plummer, Campbell County Solid Waste Coordinator, reported on the recent Campbell County clean-up, the regional Northern Kentucky E-scrap, and the upcoming Christmas tree recycling program. The County clean-up was a successful collaboration with Rumpke, with a lot of help from Ken Schultz, Bruce Siry and the members of the Road Department, and the deputy jailers who provided inmates to staff the event. There were three locations set up in the county for drop-offs, and everything but liquids were taken. He stated that tires are expensive to get rid of, but they would take up to four per person. Residents can drop-off appliances all year round. A total of 257 tons of refuse was collected. On November 15th, the Counties of Boone, Kenton and Campbell jointly held an electronics drop-off at the Sanitation District #1 facility in Ft. Wright, where residents could dispose of televisions, computer components and mercury. A total of 59,828 pounds of electronic debris and mercury were collected. Mr. Plummer announced that the Christmas tree recycling program will operate from December 29, 2008 through January 9, 2009, with six drop-off locations throughout the County.

Judge Pendery announced that the Fiscal Court will honor two long-time employees who will be retiring at the end of the year. He stated that there is a certain sacrifice involved in public service that County employees make, such as financial potential, convenience, and sometimes danger depending on the job. It is not always comfortable to be a public employee, however Campbell County is fortunate to have very dedicated people who care about the community and their work. He stated that these two individuals will be missed. He first recognized Bruce Siry who was hired in 1977 as a Laborer in the Road Department. After holding several positions in the Road Department, Mr. Siry was promoted to Road Foreman in January 1993. Mr. Siry is so dedicated to his job that oftentimes he would come in to the office on his vacation to give the crews their daily assignments. Judge Pendery then recognized Bonnie Geisler who worked in the Planning and Zoning Department for over 22 years. During her tenure, she served as the Enterprise Zone Coordinator for Campbell County and as Recording Secretary for the Campbell County Economic Progress Authority, Inc. Mr. Siry and Ms. Geisler were both presented with watches in recognition of their service.

Chief Keith Hill presented Sergeant William Bertke, a 16-year veteran of the Campbell County Police Department, with the Campbell County Police Outstanding Achievement Award. On September 6, 2008, Sgt. Bertke delivered a baby in a vehicle which was northbound on US 27 at Washington Street in Alexandria, Kentucky. Sgt. Bertke's actions demonstrate his professionalism and his willingness to go to any measure to serve the community.

Old business was next on the agenda. Melissa Williams presented O-12-08 for second reading and passage consideration. It was read by title and summary given by title. O-12-08 enacts and adopts the Supplement S-18 to the Campbell County Code of Ordinances. These ordinances were adopted between January 1 and June 30, 2008, and staff is requesting that the codified

version be adopted. Commissioner Otto made a motion to adopt O-12-08, seconded by Commissioner Hayden. All voted “AYE” and the motion passed unanimously.

Ms. Williams then presented new business. Resolution R-125-08 was read by title and summary given. R-125-08 authorizes the Judge/Executive to execute a contract with Central Business Group (CBG) for the purchase and installation of modular floors for the spacesaver mobile storage systems for the new County Administration Building. Commissioner Rechtin made a motion to adopt R-125-08, seconded by Commissioner Hayden. All voted “AYE” and the motion passed unanimously.

Resolution R-124-08 was read by title and summary given. R-124-08 adopts a revision to Chapter 13I of the Campbell County Police Policy and Procedure Manual. This policy relates to the reflective safety vests of the Police Department by establishing a policy for use of reflective safety vests in compliance with the American National Standards Institute, Inc. Commissioner Rechtin made a motion to adopt R-124-08, seconded by Commissioner Otto. All voted “AYE” and the motion passed unanimously.

Resolution R-126-08 was read by title and summary given. R-126-08 authorizes the Judge/Executive to execute an agreement with Cincinnati Bell Telephone Company, LLC to provide computer-related connectivity in the form of T1 connections to eight County locations. Commissioner Rechtin made a motion to adopt R-126-08, seconded by Commissioner Otto. Commissioner Rechtin asked if Cincinnati Bell gets a franchise agreement with the County to provide cabling, how would that affect this agreement. Robert Horine responded that if the county is able to use the cable network as an information network we can get out of the contract. It is a five year contract but a clause was included that if the County is successful in implementing I-Net throughout the existing cable network, we will be able to cancel the contract, and there would then be no cost to the County to use I-Net. Commissioner Rechtin asked how extensive the build-out will be by Cincinnati Bell if they are granted the franchise. A number of citizens in the county still do not have high speed internet access. This is an important issue for many people, and we need to find a way to get this service to the rest of the County. Mr. Horine stated that this contract is separate from the franchise agreement, but they will bring this up during the next franchise conversation. All voted “AYE” and the motion passed unanimously.

Personnel items were presented to the Fiscal Court. Ms. Williams requested a motion to transfer Ann Zies from the position of Head Animal Technician to the position of Animal Technician in the Campbell County Animal Shelter with no change in grade or compensation. This change was requested by both Lisa Bowman, Animal Shelter Director, and Ann Zies. Judge Pendery made the motion, seconded by Commissioner Hayden. All voted “AYE” and the motion passed unanimously.

Ms. Williams then requested a motion to advertise and interview for the position of Head Animal Technician in the Animal Shelter. Judge Pendery made the motion, seconded by Commissioner Otto. Commissioner Rechtin asked if this action will add a position. Ms. Williams advised that it will not add a position; it is anticipated that the position will be filled from within the department. All voted “AYE” and the motion passed unanimously.

Resolution R-121-08 was read by title and summary given. R-121-08 revises the job descriptions of Police Officer, Police Sergeant and Police Lieutenant in the Campbell County Police Department to more accurately describe the duties and responsibilities of the positions. Commissioner Hayden made a motion to adopt R-121-08, seconded by Commissioner Rechlin. All voted "AYE" and the motion passed unanimously.

Resolution R-122-08 was read by title and summary given. R-122-08 requests that the Kentucky Retirement System Board of Trustees approve hazardous duty coverage for Campbell County Police Officer positions who begin participating in the County Employee Retirement System on or after September 1, 2008. Commissioner Otto made a motion to adopt R-122-08, seconded by Judge Pendery. All voted "AYE" and the motion passed unanimously.

Ms. Williams requested a motion to appoint Stephanie Turner to the position of Administrative Assistant in Planning and Zoning with compensation set at Grade 10H (\$18.68/hour) effective December 15, 2008. This position is open due to the retirement of Bonnie Geisler. Judge Pendery made the motion, seconded by Commissioner Hayden. Judge Pendery, and Commissioners Otto and Hayden voted "AYE", Commissioner Rechlin voted "NAY", and the motion was passed.

A motion was requested to adjust the compensation of David Plummer, Administrative Analyst/Solid Waste Coordinator, from Grade 11C to Grade 11H. The increase includes the 2.5% merit increase that he was not eligible for on July 1 when the rest of the employees were, because he was not in the position for at least six months. The additional compensation more accurately compensates him for the duties and responsibilities of the position. Mr. Plummer took on the additional duties when Lori Heilman resigned. Judge Pendery stated that this will bring the level of compensation to the same rate as Mr. Plummer's predecessor. Judge Pendery made the motion, seconded by Commissioner Otto. Judge Pendery, and Commissioners Otto and Hayden voted "AYE", Commissioner Rechlin voted "NAY", and the motion was passed.

Ms. Williams announced that there were appointments for consideration. A motion was requested to appoint Ronald Schneider to the position of Search and Rescue Coordinator for Campbell County for a four year term effective December 3, 2008 through December 3, 2012. Judge Pendery made the motion, seconded by Commissioner Rechlin. All voted "AYE" and the motion passed unanimously.

A motion was requested to appoint Jeff Smith to the Southern Campbell County Fire District Board to replace Mike Klein who resigned. Mr. Smith's appointment would be effective immediately and run through June 30, 2011. Judge Pendery made the motion, seconded by Commissioner Otto. All voted "AYE" and the motion passed unanimously.

The County Administrator's report was next. Robert Horine presented R-127-08 which was read by title and a summary given. R-127-08 acknowledges and approves the execution of an agreement with Adams, Stepler, Woltermann & Dusing, PLLC to provide professional legal services. This is to provide services in regard to certain litigation pending against Campbell County. Commissioner Rechlin made the motion, seconded by Commissioner Otto. All voted "AYE" and the motion passed unanimously.

Judge Pendery called on the County Attorney for his report. Justin Verst advised that he had previously submitted to the Fiscal Court a letter of resignation to be effective the end of this year. Mr. Verst thanked his family and friends for all of their help and support throughout the years. He thanked the citizens of Campbell County for their trust and confidence in him over the last 31 years; he hopes that he's earned that trust and confidence. He stated that he's tried to handle the job as his predecessor had, that is to call them as you see them, do the right thing, let the chips fall where they may, keep politics out of it, treat everybody the same and disregard party politics and partisanship. Mr. Verst thanked his prosecutors and staff who have been a tremendous help over the years. He thanked the Fiscal Court and staff. The citizens of Campbell County should truly appreciate the work of the Fiscal Court as its members have always conducted themselves in a nonpartisan and efficient manner for the betterment of the citizens. Mr. Verst admitted that the decision to retire was a very difficult decision as he still enjoys the job. He would not have retired if he was not confident that the office would be in good hands. He is very comfortable with the person who will be appointed to take his place. Mr. Verst still plans to have a private law practice. Judge Pendery stated that at all times Justin Verst has always conducted himself in a very professional, nonpartisan, effective and fair manner, providing outstanding service to the County. He stated that when he was first elected to office, Mr. Verst put him at ease immediately. He stated that Mr. Verst always operated under the highest standards and it has been an honor to serve with him.

Judge Pendery stated that the people of Campbell County are fortunate to have a person with excellent qualifications, relevant experience and the same hard-working and nonpartisan attitude as Justin Verst, and that person is James A. Daley. The primary duties of the County Attorney's Office are criminal prosecution and providing legal advice to the Fiscal Court and Judge Executive, which requires a combination of both criminal and municipal law background and experience. Judge Pendery cited Mr. Daley's background which includes having served as a Kentucky State Trooper, commander of the Kentucky State Police legal office, head of the Northern Kentucky Drug Strike Force, Assistant Campbell County Attorney, attorney for the City of Crestview and several fire districts, service on the TANK Board, and as legal officer at the Campbell County Jail. Currently he has been heavily involved in legal work at the jail helping defend the County in lawsuits. Jim offers continuity and it is anticipated that the operation of the County Attorney's office will proceed as it has for so many years. Judge Pendery advised that he signed an Executive Order yesterday appointing James A. Daley. He then introduced Mr. Daley.

Jim Daley stated that he is humbled and honored to have this appointment. Mr. Daley introduced his wife and children. He stated that he will do his best to keep up the office in the manner in which it has been run. He has been in public service for over 30 years, and has had the opportunity to meet a lot of honorable people, Judge Pendery and Justin Verst among them. Mr. Daley thanked Greg Buckler, Jailer, who along with the Fiscal Court has done a lot of great things at the jail.

Judge Pendery announced that Justin Verst will be serving through the end of the year, and Mr. Daley's appointment will take effect on January 1, 2009. He then administered the Oath of Office to Mr. Daley.

Commissioner Otto stated that it has been a pleasure working with Justin Verst the past ten years, as well as his predecessor Paul Twehues, and he looks forward to working with Jim Daley in his new capacity.

Commissioner Otto announced that on Tuesday, December 2nd he participated in a tour of the jail with Judge Pendery, Representative Dennis Keene and Representative Joe Fischer. He stated that it was an eye-opener for the Representatives, and they learned a lot about the jail operation and money problems connected with the jail. He thanked Greg Buckler for the tour. He stated that this was one of the first times that State Representatives visited the jail, and he hopes that the other legislators in Campbell County will take the opportunity to do the same.

Commissioner Rehtin congratulated Bruce Siry, Bonnie Geisler and Justin Verst.

Commissioner Rehtin stated that the Fiscal Court needs to take a serious look at its finances. As the County approaches the half way point of its fiscal year, it is short on expected revenues by 1 ½ percent for the first quarter. He stated that they need to determine exactly where they are and project going into the future. The County has had to struggle with a shortage of Courthouse Commission revenues. Campbell County is fortunate that it is not dependent on sales tax like Hamilton County which is struggling with a \$40 million deficit. Campbell County is however dependent on occupation tax. He stated that an article in the morning's newspaper outlined Boone County's financial struggles.

Commissioner Hayden echoed the thoughts of Commissioner Rehtin. He also thanked Bruce Siry, Bonnie Geisler and Justin Verst for their service to the County. He especially thanked Justin Verst for his service to the Fiscal Court, and the entire Verst family for their service to Campbell County.

Judge Pendery announced that the CJAC Mental Health Committee will meet on December 10, 2008 at noon at the Newport Peace Bell conference room.

Jim Seibert stated that the six month period will be a good opportunity to take an account of revenues in particular. He stated that the County has been very diligent in keeping expenses in line, however it is revenues that they are concerned about. He stated that at the end of December they should have a good idea of the revenues from property taxes, and a better picture of the occupational tax and payroll tax. At that time he will get a report to the Fiscal Court.

Resolution R-123-08 was read by title and summary given. R-123-08 authorizes the County Judge/Executive to execute an Agreement with the Kentucky Transportation Cabinet, Department of Rural and Municipal Aid, for Rural Secondary Road Funds in the amount of \$43,610.00. Mr. Seibert explained that the County thought that it had lost these funds from another source, but the government was able to make these funds available for municipal road aid. Commissioner Rehtin made a motion to adopt R-123-08, seconded by Commissioner Otto. All voted "AYE" and the motion passed unanimously.

Mr. Seibert then requested a motion to approve the claims as presented for December 3, 2008 and two sets of December 3, 2008 Supplement Claims. County Attorney Justin Verst stated that he reviewed the claims and all appear appropriate. Motion was made by Commissioner Otto, seconded by Commissioner Hayden. All voted "AYE" and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Otto made a motion to adjourn, seconded by Commissioner Rehtin. All voted "AYE" and the meeting adjourned at 7:57 p.m.

Attachments:

Ordinance O-12-08 Adopts Supplement 2008 S-18 to the Code of Ordinances
Resolution R-125-08 Contract Amendment with Central Business Group
Resolution R-124-08 Amend Police Policy Manual – Reflective Safety Vests
Resolution R-126-08 Agreement with Cincinnati Bell Telephone
Resolution R-121-08 Revise Job Descriptions for Police Department
Resolution R-122-08 Regarding hazardous duty coverage for police positions
Resolution R-127-08 Agreement for professional legal services
Resolution R-123-08 Agreement for Rural Secondary Road Funds
Claims of December 3, 2008, December 3, 2008 Supplement, and December 3, 2008 Supplement

Approved:

STEVE PENDERY
Campbell County Judge/Executive

Attest:

Paula K. Spicer
Fiscal Court Clerk