

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

NOVEMBER 1, 2017

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, November 1, 2017, 7:00 p.m. at the Campbell County Courthouse located at 8352 East Main Street, Alexandria, Kentucky.

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
Paula Spicer	Fiscal Court Clerk
Marie Schenkel	Finance Director
Frank Spataro	Human Resources Director
Colonel Craig Sorrell	Campbell County Police Department

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 from the Fiscal Court regular meeting of October 18, 2017 were presented. Motion was made by Commissioner Painter, seconded by Commissioner Lampe to approve the minutes. Commissioner Coleman pointed out that in the first paragraph on page 4 it says “Mr. Gearding stated that he researched it and Campbell is fourth or fifth compared to other states...” He thought that it should be “counties”. Judge Pendery stated that it could be fixed. All voted “AYE” and the motion passed. (The recording from the October 18, 2017 meeting was later reviewed and it was determined that the minutes were correct as submitted.)

Paula Spicer presented old business with a second reading of Ordinance O-13-17 which amends Chapter 73 “Traffic Schedules” of the Campbell County Code of Ordinances to change the maximum speed limit within school zones on California Cross Roads and Clay Ridge Road to 20 mph and on Alexandria Pike to 25 mph. Commissioner Lampe made a motion to adopt O-13-17, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

New business was then presented beginning with Resolution R-96-17. R-96-17 authorizes the Judge/Executive to execute an agreement with Danger House Productions LLC for use of County-owned real property at 1098 Monmouth Street, Newport in connection with the filming of a motion picture. Judge Pendery made a motion to adopt R-96-17, seconded by Commissioner Lampe. Judge Pendery stated that the Fiscal Court building lobby will be used as a hospital lobby in a horror movie. All voted "AYE" and the motion passed.

Resolution R-97-17 approves submission to the Kentucky Transportation Cabinet, Rural Secondary Road Program for the use of Flex Funds to resurface Fender Road (CR 1011). Commissioner Painter made a motion to adopt R-97-17, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-99-17 authorizes the Judge/Executive to apply for Storm Water Management Credits from Sanitation District #1 for County-owned property in and around AJ Jolly Park. Commissioner Lampe made a motion to adopt R-99-17, seconded by Commissioner Painter. Commissioner Coleman asked if this has to do with the Otte report? Mr. Elberfeld replied that it does. All voted "AYE" and the motion passed.

Resolution R-101-17 authorizes the Judge/Executive to enter into an amended contract with the Commonwealth of Kentucky to accept Emergency Management Program Funds to support operation of the Campbell County Office of Emergency Management. Commissioner Painter made a motion to adopt R-101-17, seconded by Commissioner Lampe. Commissioner Painter stated that these funds will be used to acquire new radios for the Office of Emergency Management. All voted "AYE" and the motion passed.

Judge Pendery made a motion to advance Police Officer Christopher Lauer from PO4 (\$22.2787/hour or \$46,339.70 annually) to PO5 (\$23.8381/hour or \$49,583.17 annually) effective November 24, 2017 in accordance with the current Fraternal Order of Police working agreement. Commissioner Lampe seconded the motion. All voted "AYE" and the motion passed.

Judge Pendery made a motion to accept the resignation of Seth Cutter, Economic Development Officer effective November 24, 2017. Commissioner Lampe seconded the motion. All voted "AYE" and the motion passed. Judge Pendery stated that Mr. Cutter has done a wonderful job and the Fiscal Court is happy for him. Traditionally the people in this position were better qualified than the job description and after gaining some experience have moved on to bigger and better things.

Resolution R-102-17 authorizes updates to the Economic Development Officer position description, retitles said position to Development and Communications Manager and authorizes corresponding amendments to the Administrative Code. Judge Pendery made a motion to adopt R-102-17, seconded by Commissioner Lampe. Commissioner Coleman asked what the communications part of the job is. Mr. Elberfeld explained that it is to coordinate the County's social media and press releases. It is a lot of the work that Mr. Cutter has done under economic development, and it was decided to add it to the position description to better clarify the roll and to attract a broader pool of candidates. All voted "AYE" and the motion passed.

Judge Pendery made a motion to authorize staff to advertise, interview and hire a Development and Communications Manager to fill the vacancy created by the resignation of Mr. Cutter. Commissioner Lampe seconded the motion. Commissioner Painter asked if the mix of funding for the position would remain the same. Mr. Elberfeld stated that he anticipates that it will and he will be talking to Fred Macke of the Campbell County Economic Progress Authority about it. Commissioner Coleman asked who would do the hiring. Mr. Elberfeld stated that the Fiscal Court does the hiring. Commissioner Coleman then asked who would interview the candidates. Mr. Elberfeld stated that he and someone from Human Resources would do both rounds of interviews, and probably Judge Pendery in the final round of interviews depending on how many interviews are done. All voted "AYE" and the motion passed.

Resolution R-98-17 reappoints Marie Schenkel, Cindy Minter and Henry Pogue V to the 911 Service Fee Appeals Board for a one-year term effective November 1, 2017 through October 31, 2018. Judge Pendery made a motion to adopt R-98-17, seconded by Commissioner Lampe. Commissioner Coleman stated that two of the three members on the Board are County employees; he thinks that the Board members should all be citizens of the County. He knows that Ms. Minter is a resident of the County but the fact that she works for the County creates a conflict. He believes that the Board should be made up of three taxpayers. Judge Pendery stated that it is nice to have people who are familiar with the context and circumstances of the appeals, and he thinks that all three of these people are fair-minded. Commissioner Painter asked if most of the questions that come before the Board are technical questions. Mr. Elberfeld stated that he was on the Board the first year when he was Finance Director. Historically the appeals are a question of fact more than judgment or opinion. The reason that Planning and Zoning is represented on the Board is that access to their records helps answer questions about appeals. He gave an example of how the P & Z staff can check records and building permits to verify claims. Generally, the Board considers questions about number of units; they do not consider vacancy questions or have authority to change the ordinance. In the last couple of years, there have been less than 20 appeals. Commissioner Painter suggested that appeals might be decided more quickly by having staff on the Board. Commissioner Coleman stated that those resources could still be used; they do not have to be on the Board to use the resource. Commissioners Lampe and Painter and Judge Pendery voted "AYE", Commissioner Coleman voted "NAY" and the motion passed.

Commissioner Coleman stated that he had a call from a citizen who formerly lived at Lakeside. She inquired about getting into the new facility in Highland Heights. He recalls (prior to being in office) and she was under the impression that Judge Pendery said that residents of Lakeside would get preferential treatment in getting into a new facility. She thought that it was mentioned at a Fiscal Court meeting when they talked about closing Lakeside. Judge Pendery stated that he does not recall it, but he will think about it. He asked if Commissioner Coleman had the person's name. Commissioner Coleman stated that the caller was Mrs. Bickers and he can provide her phone number.

Commissioner Coleman stated that he was asked if the tax bills could go out earlier because they come during the holiday season; the person feels that it is an undue burden that they have to pay the taxes by December 31. He explained to the person that the rate was set in September this

year, but it is usually set in August. Mr. Elberfeld stated that the rate was set late this year. The State calculates the compensating rate and the comp +4. It came late this year and then the County has 45 days to set the rate. Mr. Elberfeld stated that the County Clerk, Sheriff and PVA are all involved in that transaction cycle. He will talk to them to see why the bills are sent November 1 and how other parts of the State handle it.

Commissioner Coleman asked if he could get a copy of all documents regarding the Ethics Commission lawsuit. Mr. Elberfeld stated that he would get them for him.

Commissioner Lampe stated that he has received positive feedback about the Campbell County Citizens Academy from some of the participants.

Commissioner Painter stated that he is glad that Fender Road is being repaved this year. It is a little over \$200,000 for about two miles. The County was able to persevere until the State released the flex funds for it. He stated that the County needs to keep the roads in decent shape.

Judge Pendery announced that the Northern Kentucky Household Hazardous Waste Collection event will take place on Saturday, November 4, 2017 from 9am to 2pm at UC Health Stadium, 7950 Freedom Way, Florence. The following items will be accepted: electronics (limit of 2 televisions per vehicle), chemicals, pesticides, corrosives, flammables, waste oil, bulbs, batteries, ink/toner cartridges, paint and anti-freeze. More information made be found at www.nkyhhw.org or by calling 859-334-3151. Judge Pendery pointed out that many items that were not accepted at the County's clean-up event will be taken at this event.

Judge Pendery presented some statistics that were recently released: the Northern Kentucky Area Development District announced that once again Campbell County has the lowest unemployment rate in the 8 northern Kentucky counties, the Chamber of Commerce announced that the lowest cost of doing business in north America is found in the Northern Kentucky/Greater Cincinnati metro area, and for the second year, *Forbes* magazine has found that Cincinnati/Northern Kentucky is the preeminent destination for college graduates.

Marie Schenkel requested a motion to authorize staff to advertise for sealed bids for janitorial services for the Campbell County Administration Building. The current contract with Wiggins Carpet and Cleaning Services expires on December 31, 2017. The original contract in 2015 had previously been renewed. Motion was made by Judge Pendery, seconded by Commissioner Lampe. Commissioner Coleman stated that they had previously talked about using female inmates to provide these services. Ms. Serra stated that the Detention Center would have to hire somebody to supervise the inmates and they have not been able to find anybody to do that. All voted "AYE" and the motion passed.

A motion was requested to authorize staff to advertise for bids to purchase scanners for tracking inmates at the Campbell County Detention Center. The current system is at the end of its useful life. The expenditure is included in the Detention Center's current year budget. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-100-17 authorizes and directs staff to submit a written request for an exemption resulting from an “undue financial hardship” with the Secretary of State pursuant to the provisions of House Bill 277. This relates to the forms used to report occupational tax returns. There are four counties that collect for at least four jurisdictions, and the standard form will not accommodate over four jurisdictions. Therefore, staff needs to request an exemption. Judge Pendery made a motion to adopt R-100-17, seconded by Commissioner Lampe. All voted “AYE” and the motion passed. Judge Pendery asked if the request will be routinely approved. Ms. Schenkel stated that it remains to be seen; Boone County’s similar request was previously turned down.

Ms. Schenkel requested a motion to approve the claims and supplemental claims as presented for November 1, 2017. County Attorney Steve Franzen stated that he has reviewed the claims and determined that they all appear appropriate. Commissioner Painter made a motion to approve the claims and supplemental claims, seconded by Commissioner Lampe. Commissioner Coleman excluded the claim for storm water. Mr. Franzen acknowledged that there was one claim for storm water at AJ Jolly Park. All voted “AYE” and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Painter made a motion to adjourn, seconded by Commissioner Lampe. All voted “AYE” and the meeting adjourned at 7:30 p.m.

Attachments:

Ordinance O-13-17 Amend Traffic Schedules – Speed Limits
Resolution R-96-17 Agreement for Use of County-Owned Property
Resolution R-97-17 Recommendation for Use of Flex Funds
Resolution R-99-17 Application to SD1 for Fee Credits
Resolution R-101-17 Amend Contract for Emergency Management Program Funds
Resolution R-102-17 Update Position Description
Resolution R-98-17 Reappoint 911 Service Fee Appeals Board
Resolution R-100-17 Request for Exemption from the Secretary of State
Claims and Supplemental Claims Dated November 1, 2017

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk