

CAMPBELL COUNTY FISCAL COURT MINUTES

A special meeting (regular meeting with a change of date to accommodate holiday) of the Campbell County Fiscal Court was held on Wednesday, January 8, 2003, at 7:00 p.m. at the Alexandria Courthouse, Main Street, Alexandria, Kentucky. In attendance at the meeting were:

COUNTY JUDGE/EXECUTIVE
STEVE PENDERY

COUNTY COMMISSIONERS:
DAVID OTTO
WILLIAM VERST
KENNETH RECHTIN

Robert Horine	County Administrator
Melissa Williams	Director of Administration
Justin Verst	County Attorney
Chief David Sandfoss	Campbell County Police Department
Ass't. Chief Keith Hill	Campbell County Police Department
Ken Knipper	OEM Director
Ron Snyder	OEM Assistant Director
Lawrence Sabo	Fiscal Affairs Director
Peter Klear	Planning & Zoning Director
Naguanda Deaton	Personnel Director
Darlana Barnes	Housing Director
Sandra Mulligan	Fiscal Court Clerk

The meeting was called to order at 7:00 p.m. by Judge Pendery. A moment of silence was called for by Judge Pendery, asking everyone to keep in their thoughts and prayers the family of Ken Page, Chief Deputy Jailer, who passed away unexpectedly this week. The moment of silence was followed by the Pledge of Allegiance. Following roll call, a quorum was declared present. The meeting was covered by *Government Access*.

Judge Pendery officially welcomed Commissioner Ken Rechtin to his first Fiscal Court meeting, noting that Ken was a past Commissioner of the City of Newport and has been a successful businessman for many years. He stated that Ken brings a great talent to the office of Commissioner.

Judge Pendery presented the minutes from the Fiscal Court meeting of December 18, 2002. Commissioner Verst noted that the minutes inadvertently omitted Mayor Schwarber's last name. It was moved by Commissioner Otto and seconded by Commissioner Verst that the minutes of December 18, 2002 be approved with the noted correction. All voted "AYE" and the motion passed unanimously.

Judge Pendery next asked if there were any public officials or citizens in attendance at the meeting who desired to address the Court at this time. There were none.

Judge Pendery then requested Police Chief David Sandfoss come forward to present the Police Service Awards. Chief Sandfoss stated that he would like to recognize several police officers for their outstanding accomplishments over the years. He made personal comments about each officer and presented awards as follows:

Patrolman William Bertke – 10-year red service award
Patrolman Ronald Ratliff – 10-year red service award
Lieutenant David Fickensher – 15-year silver service award
Sergeant Andrew Hayes – 20-year gold service award (unable to attend)
Lieutenant Colonel Keith Hill – 20-year gold service award

Judge Pendery added his words of gratitude, stating that these officers have been dedicated individuals who have made many sacrifices to be police officers. He personally thanked the officers and noted his congratulations to them for their years of dedication and service.

Judge Pendery then asked Chief Sandfoss to come forward to assist him with the swearing in of new patrolmen. Ms. Williams read the motion to appoint David Halfhill to the position of Patrolman Grade III with the Campbell County Police Department, compensation set at grade 11A, \$35,540 annually, effective January 9, 2003. Judge Pendery made a motion, seconded by Commissioner Otto, to approve the appointment of David Halfhill to Patrolman Grade III. There being no further discussion, the motion passed unanimously. Ms. Williams next read the motion to appoint John Tucker to the position of Patrolman Grade III with the Campbell County Police Department, compensation set at grade 11A, \$35,540 annually, effective January 9, 2003. Judge Pendery made a motion, seconded by Commissioner Otto, to approve the appointment of John Tucker to Patrolman Grade III. There being no further discussion, the motion passed unanimously. Judge Pendery then read the oath of office with Mr. Halfhill and Mr. Tucker, who were sworn in as Patrolmen Grade III.

Judge Pendery next requested items of “Old Business” be brought before the Court. Ms. Williams stated that the first item of old business to be considered was the second reading of Ordinance O-23-02, which was read by title and summary. She explained that this ordinance would amend the Official List of County Maintained Roads to add an extension of Sugarmill Drive, Rosebud Court and Wildflower Court that are located in Sections 9 and 10 of the Parkside Subdivision. She noted that Ken Schultz from the Road Department and Kevin Hanson from Cardinal Engineering recommended the addition of this extension to the List of County Maintained Roads. There being no further discussion, Commissioner Verst made a motion and Commissioner Rehtin seconded, to approve Ordinance O-23-02. All voted “AYE” and the motion passed unanimously.

Ms. Williams next presented for second reading and passage Ordinance O-22-02, which was read by title and summary. She explained that this ordinance would amend the Campbell County Zoning Map to rezone 3.6 acres from Residential-Three (R3, which is a two and multi-family residential zone) to Rural Commercial (RC), and that Mr. Charles King was making the request.

She noted that the property was located at the southwest corner of Alexandria Pike and Pond Creek Road in Unincorporated Campbell County. She stated that Peter Klear, Director of Planning & Zoning ("P&Z") was present at the meeting to answer any questions, and noted that Mr. Charles King had made the request for this ordinance of the property located at the southwest corner of Alexandria Pike and Pond Creek Road in Unincorporated Campbell County. Commissioner Rehtin asked if the request had gone through all of the necessary preliminary stages of P&Z, noting that he did not find any documentation in his packet confirming the vote in favor of change in rezoning at P&Z. Ms. Williams requested Mr. Klear to address Commissioner Rehtin's questions. Mr. Klear advised that all zone change requests go before the Planning Commission, and are then referred to the Zone Change Committee, who then refers back to the Planning Commission for final review. He stated that there was an error in the P&Z minutes that the Commissioners received, which was that a variance was referenced, opposed to a zone change. He noted that that error was reflected at the P&Z December meeting. He referred Commissioner Rehtin to the minutes of the November meeting for the proper language, and stated that the Zone Change Committee had voted 3-0 in favor of the zone change, which was carried to the Planning Commission who also recommended approval of the zone change unanimously. Commissioner Rehtin asked Mr. Klear for a clarification of why the Board felt they should go ahead with the change. Mr. Klear stated that the opposition that was listed in the minutes was opposition to the variance, rather than the zone change. He also stated that when the application first came to P&Z, it was for a development plan at the Eagle Storage facility, where there was a 1-acre lot sandwiched behind the Dairy Mart between the access point to Eagle Storage. It was believed that that property was zoned RC-Rural Commercial, when in fact, during review, it was found that the property was zoned R3-Residential Three. Mr. Klear stated that the request for a variance went before the Board of Adjustment, but the Board took no formal action because of the zoning issue, and that the Board wanted to give Mr. King an opportunity to work out some of the logistics in his application. He noted that the Planning Commission went forward with the zone change. There being no further discussion, Commissioner Otto made a motion and Commissioner Verst seconded, to approve Ordinance O-22-02. All voted "AYE" and the motion passed unanimously.

The Court next moved to "New Business." Ms. Williams stated that the first order of new business was Resolution R-01-03, which she read by title and provided a summary to the Court for its consideration. She noted that this resolution sets the regular meeting schedule of the Campbell County Fiscal Court for the next four years, that being 2 meetings per month, the first of which will be on the first Wednesday at 7:00 p.m. at the Alexandria Courthouse, and the second being on the third Wednesday at 5:30 p.m. at the Campbell County Fiscal Court Building Conference Room in Newport. She stated that the exception to the above schedule would be in January 2003 when the meetings would be held on the second and fourth Wednesdays. There being no further discussion, Commissioner Verst made a motion and Commissioner Rehtin seconded, to approve Resolution R-01-03. All voted "AYE" and the motion passed unanimously.

Ms. Williams next read Resolution R-02-03 by title and provided a summary to the Court for its consideration. She explained that this resolution would approve a new Administrative Plan for the Department of Housing and stated that Darlene Barnes, Director of Housing, was present at the meeting to answer any questions. There being no further discussion, Commissioner Rehtin

made a motion and Commissioner Otto seconded, to approve Resolution R-02-03. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented for first reading Ordinance O-01-03 and gave a provided a summary to the Court. She stated that this ordinance would adopt a supplement to the Code of Ordinances which had been prepared by American Legal Publishing that covered ordinances passed and adopted from January, 2002 through June, 2002. There being no further discussion, Judge Pendery stated that the ordinance would be acted upon at the next Fiscal Court meeting on its second reading.

Ms. Williams next read Resolution R-03-03 by title and provided a summary to the Court for its consideration. She explained that this resolution appoints Campbell County Fiscal Court Employees by the Judge/Executive pursuant to KRS 67.710(7) with approval of the Fiscal Court. Judge Pendery commented that he was very pleased with the current staff of the Fiscal Court and made a motion, seconded by Commissioner Rehtin, to approve Resolution R-03-03. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested consideration of the Court for a motion to appoint Robert Horine to the position of Deputy Judge/Executive, effective January 8, 2003. Judge Pendery made the motion, and Commissioner Otto seconded, to appoint Robert Horine to the position of Deputy Judge/Executive. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested consideration of the Court for a motion to appoint Sandra Mulligan to the position of Fiscal Court Clerk, effective January 8, 2003. Judge Pendery made the motion, and Commissioner Otto seconded, to appoint Sandra Mulligan to the position of Fiscal Court Clerk. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested consideration of the Court for a motion to appoint Ken Schultz to the position of Campbell County Road Supervisor, effective January 8, 2003, with compensation set at \$52,133.90 annually. Judge Pendery made the motion, and Commissioner Verst seconded, to appoint Ken Schultz to the position of Road Supervisor. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested consideration of the Court for a motion to appoint Ken Knipper to the position of Director of the Campbell County Office of Emergency Management, effective January 8, 2003, with compensation set at \$47,778.12 annually. Judge Pendery made the motion, and Commissioner Otto seconded, to appoint Ken Knipper to the position of Director of the Campbell County Office of Emergency Management. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested consideration of the Court for a motion to appoint Tom Calme to the position of Law Library Clerk, effective January 8, 2003, with compensation set at \$1,200 annually. Judge Pendery made the motion, and Commissioner Verst seconded, to appoint Tom Calme to the position of Law Library Clerk. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested consideration of the Court for a motion to acknowledge and approve the present contract with the Campbell County FOP Lodge 10-Campbell County Officers Committee. She noted that the contract was from July 1, 2002 through June 30, 2004, and that the contract was subject to approval of the new Fiscal Court effective with their term beginning January 6, 2003. Commissioner Otto made the motion, and Commissioner Rechtin seconded, to approve said contract. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested consideration of the Court for a motion to appoint John Griswold to the position of Assistant in the Office of Emergency Management, Grade 9H, with compensation set at \$28,399 annually, effective January 9, 2003. Judge Penderly made the motion, and Commissioner Rechtin seconded, to appoint John Griswold to the position of Assistant in the Office of Emergency Management. All voted "AYE" and the motion passed unanimously. Ms. Williams noted that Mr. Griswold was present at the meeting and Judge Penderly welcomed him as a new employee.

Ms. Williams next requested consideration of the Court for a motion to appoint Judge/Executive Steve Penderly as President; Commissioner Bill Verst as Treasurer; Commissioner Dave Otto as Secretary and Commissioner Ken Rechtin as Director to the Public Parks Corporation, effective January 8, 2003. Judge Penderly made the motion, and Commissioner Verst seconded, to appoint the above named individuals to the Public Parks Corporation. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested consideration of the Court for a motion to appoint Judge/Executive Steve Penderly as President; Commissioner Bill Verst as Treasurer; Commissioner Dave Otto as Secretary and Commissioner Ken Rechtin as Director to the Public Properties Corporation, effective January 8, 2003. County Attorney Justin Verst noted that on this Board and on the Public Parks Board, all of the Commissioners were considered Directors, in addition to holding their other assignments. Judge Penderly made the motion, and Commissioner Rechtin seconded, to appoint the above named individuals to the Public Parks Corporation. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested consideration of the Court for a motion to appoint Commissioner Ken Rechtin to the Northern Kentucky Municipal Government League with Commissioner Bill Verst as his alternate, effective January 8, 2003. Judge Penderly made the motion, and Commissioner Otto seconded, to appoint Commissioner Ken Rechtin to the Northern Kentucky Municipal Government League. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested consideration of the Court for a motion to appoint Judge/Executive Steve Penderly to the Northern Kentucky Port Authority, effective January 8, 2003, with Robert Horine, County Administrator, as his alternate. Commissioner Rechtin made the motion, and Judge Penderly seconded, to appoint Judge/Executive Steve Penderly to the Northern Kentucky Port Authority. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested consideration of the Court for a motion to appoint Commissioner Dave Otto to the Campbell County Council of Governments, effective January 8, 2003, with Commissioner Ken Rechtin as his alternate. Judge Penderly made the motion, and Commissioner

Verst seconded, to appoint Commissioner Dave Otto to the Campbell County Council of Governments. All voted “AYE” and the motion passed unanimously.

Ms. Williams next requested consideration of the Court for a motion to appoint Judge/Executive Steve Pendery to the Northern Kentucky Area Development District, effective January 8, 2003, with Robert Horine, County Administrator, as his alternate. Judge Pendery made the motion, and Commissioner Rechtin seconded, to appoint Judge/Executive Steve Pendery. All voted “AYE” and the motion passed unanimously.

Ms. Williams then requested consideration of the Court for a motion to appoint Judge/Executive Steve Pendery to the Ohio-Kentucky-Indiana Council of Governments, effective January 8, 2003, with Melissa Williams, Director of Administration, as his alternate. Commissioner Otto made the motion, and Commissioner Verst seconded, to appoint Judge/Executive Steve Pendery to the Ohio-Kentucky-Indiana Council of Governments. All voted “AYE” and the motion passed unanimously.

Ms. Williams next requested consideration of the Court for a motion to appoint Judge/Executive Steve Pendery to the Northern Kentucky Solid Waste District Board, effective January 8, 2003, with Reno Deaton, Solid Waste Manager, as his alternate. Judge Pendery made the motion, and Commissioner Otto seconded, to appoint Judge/Executive Steve Pendery to the Northern Kentucky Solid Waste District Board. All voted “AYE” and the motion passed unanimously.

Ms. Williams then requested consideration of the Court for a motion to appoint Commissioner Bill Verst to the Northern Kentucky Solid Waste District Board, effective January 8, 2003, with Josh Wice, Administrative Analyst, as his alternate. Judge Pendery made the motion, and Commissioner Rechtin seconded, to appoint Commissioner Verst to the Northern Kentucky Solid Waste District Board. All voted “AYE” and the motion passed unanimously.

Ms. Williams next requested consideration of the Court for a motion to appoint Dave Noran to the position of Board Member for the Sanitation District No. 1 for a four-year term, effective immediately through December 12, 2006. Judge Pendery made the motion, and Commissioner Otto seconded, to appoint Dave Noran to the position of Board Member for the Sanitation District No. 1. All voted “AYE” and the motion passed unanimously. Judge Pendery noted that Mr. Al Howe was retiring from this Board, which created the vacancy that Mr. Noran will be filling. Judge Pendery commented that Mr. Howe had served for a number of years with great distinction and thanked him for his years of dedicated service.

Judge Pendery then requested reports from Staff. Mr. Horine, County Administrator, read Resolution R-04-03 by title and provided a summary to the Court for its consideration. He explained that this resolution would approve the acquisition of property located at 1038 Monmouth Street, Newport, Kentucky, for a purchase price of \$118,425, and would authorize the Judge/Executive to execute any documents relating to said acquisition. He also stated that this would be the next step in assembling the parcels of property necessary to construct the Joint Fiscal Court/Health Department Facility, and noted that the documents include a provision of time that would allow the Court to perform due diligence in order to make sure that the property is suitable for construction before closing on the purchase of that property. County Attorney

Justin Verst added that this contract is contingent upon being able to assemble the entire tract of land. Commissioner Verst asked how much of the tract of land had been assembled, to which Mr. Horine responded that all but two parcels had been assembled, which was over 90% of the tract. There being no further discussion, Commissioner Rechtin made a motion and Commissioner Verst seconded, to approve Resolution R-04-03. All voted "AYE" and the motion passed unanimously.

Judge Pendery next requested a report from the County Attorney. Mr. Verst reported that the litigation against the county and jail by former employee Joyce Fawcett has been scheduled for mediation in the near future and he would keep the court updated on its progress.

Judge Pendery then requested reports from the Commissioners, informing Commissioner Rechtin that it is tradition at this point in the meeting to give each Commissioner an opportunity to offer their comments or voice an opinion on any issues. Commissioner Verst stated that he was glad to be back in the New Year with the new Fiscal Court and looks forward to the challenges that will face the Court. He also noted that he was looking forward to working with Commissioner Rechtin and welcomed him aboard, stating that Commissioner Rechtin had had a distinguished career as a Commissioner in Newport and comes to us with some good experience.

Commissioner Otto thanked the citizens of Campbell County putting the current Fiscal Court into office for the next four years. He noted that the past Fiscal Court had always gotten along and had the County's best interest in mind, which he expects to continue for the next four years with the new Court. He added his welcome to Commissioner Rechtin, noting that he looked forward to working with him over the next four years.

Commissioner Rechtin thanked the electorate also, noting that it is humbling to him to be elected to this position. He thanked Judge Pendery and Commissioners Verst and Otto for making the transition for him an easy one and also thanked other employees of the Court for all the help they have given him in keeping him informed on issues. He explained that he looked forward to more touring of County facilities and working with the Fiscal Court.

Judge Pendery reported that there would be a regularly scheduled Mayors meeting on Tuesday, January 28, 2003 at 7:30 a.m. at the Campbell County Extension Center. He also reported that there would be a public meeting on the Re-Addressing Project to be held on Monday, January 27, 2003 at Campbell County High School from 5:00 p.m. to 7:00 p.m. He asked Peter Klear, Director of Planning & Zoning, to give further details. Mr. Klear stated that the meeting would be advertised to citizens of Campbell County through direct mailings, advertising in the Campbell County Recorder, Kentucky Post, Kentucky Enquirer, and possibly doing some radio advertising, and television advertising on the local cable channel and the Dick Von Hoehne show. He also noted that there would be a direct page on the County website regarding the Re-Addressing Project. He explained that this project was prompted by the consolidation of the emergency dispatch services and the problems that occurred in the emergency services making runs to residences where street names were similar, mostly rural route numbers and box numbers. It was determined that the road naming system was not up to standards and as part of the consolidation process it was recognized that the re-addressing would be a great benefit to the citizens and the dispatch services. Mr. Klear stated that it is understood that there may be some

short-term issues for some citizens in going from a route number to a street name, but explained that the trade-off for the citizens would be in having emergency services prepared and accessible to every home in the County. Judge Pendery thanked Mr. Klear for this report and stated that the completion of the re-addressing should result in much reduced response time for the emergency services.

Judge Pendery then requested a report from the Fiscal Director. Mr. Sabo requested a motion for consideration from the Court to authorize the purchase of a new vehicle for the Office of Emergency Management from the state contract. The vehicle is a 4-wheel drive Dodge Durango to be purchased in the amount of \$20,998. He explained that there were 2 vehicles presently in that department, both being around 6 to 7 years old, and one being ill-suited for the job. He noted that one of the vehicles, a Crown Victoria, was having transmission problems and would cost approximately \$1,800 to repair and that it would be cost-effective at this time to replace that vehicle at this time. Mr. Sabo also requested the Court to approve the budget transfer to make the purchase of the Dodge Durango. Commissioner Otto made the motion, and Commissioner Verst seconded, to purchase the Dodge Durango. All voted "AYE" and the motion passed unanimously.

Mr. Sabo stated that the next item of business to be considered by the Court was the second reading of Ordinance O-21-02, which was read by title and summary. He explained that this ordinance amends the Fiscal Year 2003 General Fund Budget for unbudgeted and unanticipated funds, noting that two grants had been received that were not budgeted for, and that the ordinance was approved as to form and classification by the State and Local Finance Officer on 12/20/02. There being no further discussion, Judge Pendery made a motion and Commissioner Verst seconded, to approve Ordinance O-21-02. All voted "AYE" and the motion passed unanimously.

Mr. Sabo then requested consideration of the Court for a motion to acknowledge acceptance of the bonds for appointed and elected officials of the Campbell County Fiscal Court. Commissioner Rehtin made the motion, and Commissioner Verst seconded, to accept the bonds issued for appointed and elected officials. All voted "AYE" and the motion passed unanimously.

Mr. Sabo next requested approval of budget transfers for December 31, 2002. He noted that the transfers of December 31, 2002 inadvertently omitted two transfers that were presented to the Court at this meeting. He requested the approval of the budget transfers and stated that transfer of funds for the purchase of the Dodge Durango would also be included. There being no further discussion, Commissioner Rehtin made a motion to approve the budget transfers and Commissioner Verst seconded the motion. All voted "AYE" and the motion passed unanimously.

Mr. Sabo then requested approval of the Claims being presented at this meeting. County Attorney Verst reported that he had reviewed the claims and that they appeared to be appropriate. There being no further discussion, Commissioner Otto made a motion that the claims be approved and paid. Commissioner Verst seconded the motion. All voted "AYE" and the motion passed unanimously.

Commissioner Verst then took a moment to compliment Peter Klear on the job he was doing on the Re-Addressing project. He stated that a significant investment and effort had been made in this project to bring it to fruition and that Mr. Klear had contributed a great deal to the success of the project, noting that he had done an excellent job in dealing with the concerns of the citizens who would be involved in the Re-Addressing of their residences. Commissioner Verst reiterated to the citizens that this project was being done in order to provide the best emergency services possible to them.

There being no further business to come before the meeting, it was moved by Commissioner Rechlin, seconded by Commissioner Otto, that the meeting be adjourned. All voted "AYE" and the meeting was adjourned at 8:04 p.m.

Attachments:

Ordinance O-21-02: Amendment of Fiscal Year 2003 General Fund Budget
Ordinance O-23-02: Amendment of Official List of County Maintained Roads
Ordinance O-22-02: Amendment of the Campbell County Zoning Map
Resolution R-01-03: Meeting Schedule of Fiscal Court Through 2006
Resolution R-02-03: Administrative Plan for Department of Housing
Resolution R-03-03: Appointment of Campbell County Fiscal Court Employees
Resolution R-04-03: Approval of Acquisition of Property at 1038 Monmouth Street, Newport
Transfers: December 31, 2002
Claims: January 8, 2003
January 8, 2003 (Supplemental)

Approved:

STEVE PENDERY
Campbell County Judge/Executive

Attest:

Sandra L. Mulligan
Fiscal Court Clerk