

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

February 15, 2012

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, February 15, 2012, 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:
PETE GARRETT
BRIAN PAINTER
KENNETH RECHTIN

Robert Horine	County Administrator
Steve Franzen	County Attorney
Melissa Williams	Director of Administration
Jim Seibert	Fiscal Director
Paula Spicer	Fiscal Court Clerk
Colonel Keith Hill	Campbell County Police Chief
Kim Serra	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 followed by the Pledge of Allegiance. Following roll call, a quorum was declared present.

Rob Hans, Chief District Engineer, and Andy Yeager, District Six, Kentucky Transportation Cabinet, presented their recommendations to the Fiscal Court for the Rural Secondary Road Program for FY13. Mr. Yeager began by stating that Campbell County was awarded just under \$770,000, about \$140,000 more than last year. He explained how they arrived at the figure of \$442,441 to fund projects this year. The three State roads recommended for resurfacing are: Stevens Branch from KY 1121 to KY 10, Persimmon Grove from KY 1996 to KY 10 and Persimmon Grove from California Crossroads to KY 1996. Roads recommended for use of Flex Funds are Twelve Mile Road from KY 1997 to KY 8 and Flagg Springs from creek bridge to County line. Mr. Yeager named two other projects to be considered if funding permits. Mr. Hans explained that the funds for these projects come from the State's allotment of motor fuel taxes and explained how the funds are distributed to counties. He stated that last year the Cabinet reviewed all roads in Kentucky and reclassified some. As a result some Campbell County roads no longer meet the requirements of rural secondary roads. Mr. Hans then

explained the use of flex funds. Mr. Horine advised that the Road Supervisor will review the Cabinet's list of projects and make a recommendation to the Fiscal Court. Mr. Horine then referred to a recent newspaper article about Gubser Bridge which needs to be replaced. The Cabinet estimates replacement at \$90,000; the County is getting estimates on possibly relocating the bridge. Mr. Hans stated that the County could apply for emergency funds, but if awarded it may not cover the entire cost.

Steve Franzen opened a discussion on the proposed ordinance regulating used property businesses. He stated that the Campbell County Police Chiefs determined that there was a need for such an ordinance due to the increase in thefts and businesses allowing thieves to sell stolen property. He introduced Ft. Thomas Police Chief Mike Daly, Assistant Chief Rich Whitford and Detective Brent Moening, and his assistant attorney Bob List. Detective Moening stated that there has been an alarming increase in thefts in the area, most of which are linked to drugs. The top three most common items stolen are precious metals (jewelry), cash and tools. He stated that jewelry stores are getting a record number of items brought in. Detective Moening listed the reasons why the ordinance is needed and the reasons that certain requirements such as photographs, holding periods, sales to minors and hours of operation were put in the ordinance. He advised that the City of Newport's ordinance enacted in 1995 has been very effective. Three business owners who would be subject to the ordinance expressed their concerns. They described how they operate their businesses now and how some of the requirements would be detrimental to their business. The business owners and police officers agreed that "LeadsOnline", an online investigation system for law enforcement, is a good program and easy to use. It was pointed out that some of the smaller cities may not be able to afford the licenses to access the LeadsOnline program. Mr. Franzen fielded questions from the audience and Fiscal Court members. He invited the business owners to call him with their suggestions. He will edit the ordinance based on comments that he receives and comments made at this meeting.

Judge Pendery invited comments from the public.

Charles Coleman held up a DVD that he obtained from Campbell County Media of the Library Board meeting at which JC Morgan said that there were three people to every one person present that were in favor of the new library branch. Mr. Coleman stated that the DVD proves that it was actually 50/50 split of people present that were opposed to the new branch.

JR Roth stated that he had concerns about two items on the itinerary: (1) the expansion of local government by hiring additional employees, and (2) he asked for clarification on changing service credit from five to ten years for police officers.

Kevin Gordon stated that the part time position they are filling probably wasn't a part of the original budget so they'll have to come up with the money for it. If they can do that, why can't they come up with the money for the police departments.

Minutes from the regular meeting of February 1, 2012 were presented. Motion was made by Commissioner Rehtin to approve the minutes. Commissioner Painter referenced a portion of the February 1, 2012 meeting minutes wherein Kevin Gordon said that at the Library Board meetings that he attended, there was a 50/50 split of people opposed to building the new library

branch. The motion was seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

There being no old business, Melissa Williams presented new business beginning with Resolution R-11-12 by title and summary. R-11-12 sets the 2012 Park opening and closing dates and camping dates for the Campbell County Park system. These dates were recommended by Mike Mullen, Interim Parks Director. Commissioner Rechtin made a motion to adopt R-11-12, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Resolution R-08-12 was read by title and summary given. R-08-12 authorizes the execution of an Interlocal Cooperation Agreement regarding law enforcement jurisdiction. This agreement amends an existing Interlocal Cooperation Agreement which allows Sheriff's Department officers of Boone, Campbell, Kenton and Pendleton Counties and officers of the Campbell and Kenton Counties Police Departments to exercise law enforcement powers throughout all four counties. The amendment will add the Gallatin and Grant County Sheriff's Offices to the agreement. Commissioner Rechtin made a motion to adopt R-08-12, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to proclaim March 2012 as Severe Weather Awareness Month in Campbell County, Kentucky. Motion was made by Commissioner Rechtin, seconded by Judge Pendery. All voted "AYE" and the motion passed.

A motion was requested to appoint the following Golf Course Maintenance workers at an hourly rate of \$9.91 effective March 1, 2012 through the 2012 Park Season: Terry Kennedy, Elden Siemer, Charlie Rauch, Roger Church, Mark Schroder, Andy Ashmore, Michael Rimer, Aaron Myers and Josiah Myers. Motion was made by Judge Pendery, seconded by Commissioner Rechtin. Melissa Williams advised that this is the same rate of compensation paid last year. All voted "AYE" and the motion passed.

Resolution R-05-12 was read by title and summary given. R-05-12 amends the Campbell County Police Force Merit Board Rules and Regulations, Chapter One, Section 1:13.7 Employment Provisions, to increase the service credit for lateral entry candidates from five to ten years. Judge Pendery made a motion to adopt R-05-12, seconded by Commissioner Rechtin. Chief Hill explained the reasons that this amendment is requested and the difference in pay and vacation time. He addressed questions and concerns from the Fiscal Court members. Chief Hill stated that they can offer up to ten years service credit but can offer less at their discretion. Commissioners Garrett and Painter and Judge Pendery voted "AYE", Commissioner Rechtin voted "NAY" and the motion passed.

Resolution R-10-12 was read by title and summary given. R-10-12 authorizes the Judge/Executive to execute a professional services agreement with Chard Snyder to serve as the third party administrator for COBRA administration. Judge Pendery made a motion to adopt R-10-12, seconded by Commissioner Rechtin. Commissioner Rechtin asked if the agreement had been reviewed and does it really minimize liability to the County. Steve Franzen stated that he reviewed the agreement, deleted indemnification of Chard Snyder and does believe that it minimizes the County's exposure on COBRA issues. Kim Serra explained the benefits of having

a third party administrator particularly since she has recently assumed COBRA responsibility for the jail employees who usually have more changes. She believes that the contract is very cost effective at a rate of \$0.90 per benefits eligible employee per month. All voted "AYE" and the motion passed.

Resolution R-09-12 was read by title and summary given. R-09-12 authorizes the abolishment of the full time Assistance Program Administrative Assistant position, the establishment of an updated Assistance Program Specialist position and the establishment of a part time Administrative Assistant Position, and further authorizing corresponding amendments to the Administrative Code. Judge Pendery made a motion to adopt R-09-12, seconded by Commissioner Rehtin. Commissioner Rehtin stated that the Assistance Program is not really a part of Human Resources. It should be under Human Services; can they look at changing it. All voted "AYE" and the motion passed.

A motion was requested to transfer Lisa Haines to the Assistance Program Specialist position assigned to Pay Grade 9 effective February 15, 2012. Ms. Haines shall remain at her current rate of compensation of \$18.56/hour (\$33,800 annually). Motion was made by Judge Pendery, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to authorize staff to advertise, interview and hire for the part time position of Administrative Assistant in the Human Resources/Assistance Program Department. Motion was made by Judge Pendery, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

Resolution R-12-12 was read by title and summary given. R-12-12 authorizes the revision of the job description of the Animal Shelter Director position, revision and renaming of the position of Head Kennel Technician at the Campbell County Animal Shelter, and authorizing corresponding amendments to the Administrative Code. Ms. Williams explained that this action is being taken to reflect amendments to the Kentucky Revised Statutes relative to the definitions in Chapter 258 "Animal Control and Protection". There will be no change in grade or compensation for these positions. Judge Pendery made a motion to adopt R-12-12, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

A motion was requested to accept the resignation of Karen Dennemann as Police Clerk, effective March 2, 2012. Motion was made by Judge Pendery, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to authorize staff to advertise, interview and hire for the position of Police Clerk in the Police Department. Motion was made by Judge Pendery, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to recommend to the Kentucky Cabinet for Health and Family Services the reappointment of Dr. Daniel Sheridan DMD, Dr. Larry Brennan MD and Beth Healy RPh to the Campbell County Local Board of Health for a two year appointment effective January 1, 2012 through December 31, 2013. Motion was made by Judge Pendery, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

Robert Horine requested a motion to meet in executive session at the end of regular business pursuant to KRS 61.810(1)(b) deliberations on the future acquisition or sale of real property by a public agency. He stated that no action will be needed after the executive session. Motion was made by Commissioner Rehtin, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Judge Pendery showed a video presentation prepared by Dr. Paul Coomes, PhD, Professor of Economics, University of Louisville, which was presented to the House Local Government Committee of the Kentucky General Assembly on January 4, 2012. The presentation shows that an emphasis was on rural lifestyles in Kentucky and the statutory schemes are slanted toward that rural lifestyle, however Kentucky now is more urban than rural as evidenced by the population growth in metropolitan areas. Statistics show that three counties in Kentucky account for 38% of its growth, and seven counties account for one-half of the jobs in the State. The State's major metropolitan areas get back roughly one-half of what they send to Frankfort. The report also showed the distribution of rural secondary road funds and education funds, and the fact the taxes from alcoholic beverages go back to counties that prohibit its sale. This presentation will be forwarded to the Fiscal Court members and will be posted on the County's website.

Judge Pendery announced four upcoming events in Campbell County: (1) a meeting of the Boone, Campbell and Kenton County Fiscal Courts will take place on February 23, 2012 at 6:00 p.m. at the Northern Kentucky University Student Union, (2) a Weather Spotters Training Class will be held on March 26, 2012 at the Alexandria Fire Department, (3) Campbell County's Spring Clean-Up will be held on March 30 through April 2, 2012, and (4) a Shred Day program will be held on April 28, 2012 at the Disabled American Veterans facility in Highland Heights.

Judge Pendery stated that he went to Frankfort today to accept a check in the amount of \$32,000 for a Recreational Trails Grant to be used to extend the trail system in A J Jolly Park. He also announced that Linda Bray-Shaffer was presented with an award recognizing her as an outstanding volunteer to expand trails in Campbell County.

Jim Seibert requested a motion to accept the bid from Dever Inc./Championship Golf Cars for the lease of golf carts for A J Jolly Golf Course in the total amount of \$162,162 for a term of three years effective April 2013 through 2015. He stated that this is the same rate that was paid last year for the golf carts. Motion was made by Commissioner Rehtin, seconded by Judge Pendery. All voted "AYE" and the motion passed.

A motion was requested to purchase a 2004 model 120C John Deere Excavator with accessories from Art's Rental for the Road Department for \$19,075. Motion was made by Judge Pendery seconded by Commissioner Painter. The Road Department had rented this equipment to repair roads damaged by heavy rains and floods last spring. The County is now able to buy it with the rental payments applied to the purchase price; it will be used in addressing future road damage and to avoid future rental or lease payments. Mr. Seibert stated that although this purchase was not budgeted, there are funds in the Road Department budget including money received from FEMA. All voted "AYE" and the motion passed.

Mr. Seibert then requested a motion to approve the claims and supplemental claims as presented for February 15, 2012. County Attorney Steve Franzen stated that he has reviewed the claims and all appear appropriate. Motion was made by Commissioner Rechtin, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

The Fiscal Court then met in executive session pursuant to motion previously made.

Motion was made by Commissioner Rechtin, seconded by Commissioner Garrett to adjourn the executive session. All voted "AYE" and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Rechtin made a motion to adjourn, seconded by Commissioner Garrett. All voted "AYE" and the meeting adjourned at 8:37 p.m.

Attachments:

Resolution R-11-12	Setting 2012 park Opening and Closing Dates
Resolution R-08-12	Interlocal Cooperation Agreement Amendment
Proclamation	Severe Weather Awareness Month
Resolution R-05-12	Amend Police Force Merit Board Rules and Regulations
Resolution R-10-12	Agreement for COBRA Administration
Resolution R-09-12	Human Resources/Assistance Program Department Reorganization
Resolution R-12-12	Update Job Descriptions for Animal Shelter Positions
Claims and Supplemental Claims of January 18, 2012	

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk