

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

APRIL 21, 2021

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, April 21, 2021, 5:30 p.m. at the Campbell County Administration Building, Fiscal Court Chambers, 1098 Monmouth Street, Newport, Kentucky.

COUNTY JUDGE/EXECUTIVE
STEVE PENDERY
COUNTY COMMISSIONERS
GEOFF BESECKER
TOM LAMPE
BRIAN PAINTER

County Attorney Steve Franzen,
County Administrator Matt Elberfeld,
Fiscal Court Clerk Paula Spicer,
Assistant County Administrator Kim Serra,
Finance Director/Treasurer Marie Schenkel,
Police Chief Craig Sorrell,
Major Jeremy Newberry,
Director of Planning and Zoning Cindy Minter

The meeting was called to order at 5:30 p.m. by Judge Pendery. Cable Access was present to film the meeting. The meeting was also broadcast live on the Fiscal Court Facebook Page.

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 special meeting of April 7, 2021 were presented. Motion was made by Commissioner Painter, seconded by Commissioner Lampe to approve the minutes. All voted "Aye" and the motion passed.

Judge Pendery stated that the 2020 Officer of the Year Award would be presented adding that he has never had a call at home to complain about the Campbell County Police Department in 22 years. He joined Major Newberry and Keith Daniels, Secretary of the Police Force Merit Board to present the award. Mr. Daniels acknowledged the members of the Police Force Merit Board who were present: Chairman Rees Hardy, Tom Ramler and Van Needham. He stated that it is a true honor to work with the Campbell County Police noting the integrity, morals and outright competence of the agency. On behalf of the Board, he thanked Judge Pendery, the County Commissioners and County Attorney Franzen for their support. Mr. Daniels stated that the individual being honored tonight has done an amazing job. 2020 has been an unprecedented year, through it Sergeant Heiert took the opportunity to start an entertaining social media page called "Nick @ 9" along with fundraising. So many lives have been touched by what Sgt. Heiert

has been able to do as an officer and as a resident of Campbell County; he has given so much back to the community through his fundraising efforts. It was a unanimous decision of the Merit Board to name Sgt. Heiert as the 2020 Campbell County Police Officer of the Year. Major Newberry then read a plaque before presenting it to Sgt. Heiert. Sgt. Heiert expressed his appreciation to Judge Pendery, the Merit Board, Major Newberry and others. He then recognized his girlfriend Ashley, his parents, aunt and uncle, Lt. Nitschke and Officer Dieman who were present and Commissioner Besecker who is a great supporter of his “Nick @ 9” show. He thanked everybody – Campbell County has always been his home and it means a lot to him to be able to represent that Police Department. Judge Pendery stated that when people think about the police they think of people who are willing to go into harms way for others’ sake and the serious side of it, and that should not be taken for granted, but they also shouldn’t assume that police don’t have personality and have fun like Sgt. Heiert does. Mr. Daniels stated that this past year has been an amazing year for law enforcement agencies across the country. The Merit Board wished to acknowledge that in the form of a resolution which was then read by Board member Van Needham.

At this time, Judge Pendery asked if any comments or questions had been submitted by the public. Ms. Serra replied that none had been submitted via email or on Facebook.

Paula Spicer presented old business with a second reading of Ordinance O-03-21. O-03-21 amends Chapter 73 “Traffic Schedules” of the Campbell County Code of Ordinances to add stop signs on Sycamore Creek Drive at Darlington Creek Drive and on Birch Creek Drive at Darlington Creek Drive. Commissioner Besecker made a motion to adopt O-03-21, seconded by Commissioner Lampe. Commissioner Painter stated that putting up stop signs is not his favorite thing, but since the residents have requested this, it is appropriate. All voted “Aye” and the motion passed.

New business was presented next with a first reading of Ordinance O-04-21. O-04-21 updates the official zoning map for unincorporated Campbell County to rezone an approximate 5.5 acres located approximately 800 feet south of Cooper Bain Road between US 27 and Alexandria Pike from Agricultural One (A-1) to Rural Commercial (RC). Cindy Minter explained that this ordinance and O-05-21 are similar although two very distinct properties. She described the location of the 5.5 acres and stated that the site would be used for long-term storage of recreation vehicles. The RV business has been thriving during the past year and storage places are needed. These two zone change requests passed through the Planning and Zoning Commission with no negative public comments. No vote was taken on the first reading of this ordinance.

Ordinance O-05-21 was read by title. O-05-21 updated the official zoning map for unincorporated Campbell County to rezone an approximate 5.4 acres located at the intersection of Alexandria Pike (US 27) and South Licking Pike in Campbell County from Neighborhood Commercial (NC) and Industrial Two (I-2) to Rural Commercial (RC). Ms. Minter described the location of this site. The site had some prep work done to it about the time when US 27 was widened. It was acquired by Dave Barone who will operate an existing business at the site as well as a recreational vehicle storage site. There will now be two RV storage sites in the same general vicinity but she thinks that the demand is there to keep both in business. The Planning Commission granted both businesses a variance to allow gravel in their storage lots. Mr. Barone will also make use of an existing concrete slab at his location. Commissioner Painter asked how the Comprehensive Plan addresses storage of RVs. Ms. Minter stated that both businesses will

have fenced lots. There is a marina sales business in the same vicinity that has boat storage. The key is not so much the look of the lots, but getting these vehicles a proper place to be stored so they are not parked in front yards. No vote was taken on the first reading of this ordinance.

Resolution R-26-21 was read by title. R-26-21 updates the Economic Development Specialist position description and further authorizes corresponding amendments to the Administrative Code. Judge Pendery made a motion to adopt R-26-21, seconded by Commissioner Lampe. All voted "Aye" and the motion passed.

Judge Pendery then made a motion to authorize staff to advertise, interview and make a hiring recommendation for the Economic and Community Development Director position. Commissioner Lampe seconded the motion. All voted "Aye" and the motion passed.

A motion was requested to accept the resignation of Robert Giles from the full-time position of Inmate Supervisor/Maintenance Worker in the Facilities and Fleet Department effective April 30, 2021. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "Aye" and the motion passed.

A motion was then requested to authorize staff to advertise, interview and make a hiring recommendation for a full-time Inmate Supervisor/Maintenance Worker to fill the vacancy created by Mr. Giles' resignation. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "Aye" and the motion passed.

A motion was requested to appoint Colten Hoskins as a seasonal Parks and Recreation Maintenance Worker effective April 22, 2021 with compensation set at pay grade 1, \$12.10 per hour. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "Aye" and the motion passed.

A motion was requested to appoint John Bright Jr. as a Police Officer grade PO6 with the Campbell County Police Department effective April 26, 2021 with compensation set at \$57,958.33 annually (\$27.8646 per hour). Officer Bright is a lateral police officer hire and as such will be granted 8 years and 4 months of service credit at the time of his appointment. Motion was made by Judge Pendery, seconded by Commissioner Lampe. In response to Commissioner Painter's question, Chief Sorrell stated that with this appointment and two recruits attending the police academy in June, it will bring the Department to full staff. All voted "Aye" and the motion passed.

A motion was requested to reappoint Representative Joseph Fischer and William Donnermeyer to the Northern Kentucky Convention and Visitors Commission for a three-year term effective August 1, 2021 through July 31, 2024. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "Aye" and the motion passed.

A motion was requested to appoint Stephanie Steffen to the Campbell County Board of Assessment Appeals for a three-year term effective June 5, 2021 through June 4, 2024. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "Aye" and the motion passed.

Matt Elberfeld read Resolution R-27-21 by title. R-27-21 authorizes the Judge/Executive to execute an agreement with Legion Logistics for issuance of the Campbell County Jobs Development Program. Mr. Elberfeld explained that Legion Logistics is a third-party logistics brokerage currently located in Florence. The company will be relocating to Newport on the Levee. Currently they have 17 employees with about \$1.2 million payroll and are projecting 75 employees and \$4.5 million payroll within next ten years. The incentive is the standard program which is a 40% rebate in payroll tax for the first ten years. It is reimbursement based so we only incentivize jobs that actually materialize. The City of Newport approved its incentive at its last meeting and he recommends that the Fiscal Court does the same. Commissioner Painter made a motion to adopt R-27-21, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

Resolution R-29-21 was read by title. R-29-21 approves funding for the Transit Authority of Northern Kentucky for Fiscal Year 2022. The requested amount for the next fiscal year is \$3,784,765 which is a decrease of \$413,076 from the current fiscal year. Two things led to the 9.8% decrease: the upcoming fiscal year will be the first full year with the redesigned TANK system and the first full year of the new funding formula. TANK is funded by Boone, Campbell and Kenton Counties and the costs are divided by one-third of the hours in each county, one-third of population and one-third of the jobs. The previous funding formula didn’t include job growth. This led to routes that serve high job but low population areas (i.e. the airport) Boone County was not contributing enough toward the cost of TANK. All three counties agreed to redo the formula. Commissioner Painter made a motion to adopt R-29-21, seconded by Commissioner Besecker. Commissioner Painter complimented Mr. Elberfeld who served on the TANK redesign and met with the other county administrators to adjust the funding formula. All knew that TANK needed a reevaluated mission and it was an excellent piece of work. Campbell County’s participation was key. Hopefully TANK will remain a vital asset to the County in the future. All voted “Aye” and the motion passed.

County Attorney Franzen echoed the nice comments about Officer Heiert and the Campbell County Police in general. This has been a crazy year and he never knew from day-to-day what his office would have to deal with. The Police Department did a wonderful job during the past year and he is thankful to them and other local police departments.

Commissioner Besecker echoed Mr. Franzen’s comments – it has been a trying year on police across our community and across our nation. It was good to celebrate the good in humanity and in people this evening. He has known Major Newberry and Sgt. Heiert since they were 14-year-old students at Campbell County High School. He still loves being in their presence. It makes his heart happy to see what people are able to do when given the opportunity.

Commissioner Besecker thanked Kentucky Supreme Court Justice Michelle Keller who visited his Criminal Justice class and shared what the Supreme Court does and how the Court of Appeals works in Kentucky. She was brilliant in what she was able to convey to the students. Notably she is the first woman to serve as a Kentucky Supreme Court Justice and the first woman from Chase Law School to serve on the Kentucky Supreme Court.

Commissioner Lampe concurred with the County Attorney’s and Commissioner Besecker’s comments about the Police Department. He credited Chief Sorrell for the prestigious department and for Sgt. Heiert to be honored amongst his peers is quite an accomplishment. He

congratulated Sgt. Heiert and thanked the entire department for the safety it provides to the community.

Commissioner Painter stated that assessments for Campbell County properties have come out. The real estate market in Campbell County is off the charts as it is pretty much everywhere. When houses are put up for sale there are several bids submitted above the asking price. While the real estate market is hot, there are also pressures on the real estate market such as an increase in the price of lumber. He has been getting calls about the increase in assessments. When homes are sold for 30-40% higher than a year or two ago you get assessments that are outrageously high. He explained that Daniel Braun, Property Valuation Administrator is bound by law to keep the assessed value of the property within 5% of the fair market value of the property – he is doing his job. Commissioner Painter pointed out that the tax rates have not been set by any of the taxing districts yet and there is potential for a steep increase in taxes across the board if the current rates are used. There are however some stop-gaps. One safety valve is that when the compensating rate is calculated by the Kentucky Department of Local Government, the increased assessments are used in the tax calculation and the resulting compensating rate may lower the tax rate. Elected officials, including this board, school boards, library board and fire districts will determine what the tax burden will be. They have to be mindful that those on a fixed income or who have been living in the same single-family residence for 20-30 years don't pay 30% more taxes. For a number of reasons, this year will be a little different.

Judge Pendery stated that the elected officials will look at this carefully as they do every year. The good news is that as the rate that applies to your valuation is calculated it automatically will tend to compensate for the fact that the assessments are up. Most entities will be looking for a slight increase over the preceding year – but nothing like 20-30%. If the assessments go up the tax rate comes down to compensate so that the local governments only get either no raise at all or an increase that they chose up to four percent. It is something to be concerned about but we do have the tools to deal with it.

Judge Pendery announced that the Campbell County Spring Clean-up event will take place on Friday and Saturday, April 23 and 24 from 8am to 5pm. Furniture, mattresses, trash, debris and yard waste may be taken to the Campbell County Police Department, Frederick's Landing (Wilder) and Pendery Park. In addition to those items, appliances, batteries, electronics (limit 1 TV), 20-pound propane tanks, scrap metal and tires (limit 8) may be taken to the Campbell County Transportation Center. Due to social distancing guidelines, all participants are required to unload their own vehicle. The event is for Campbell County residents only, no businesses or commercial interests are permitted.

Marie Schenkel presented the Finance Director/Treasurer's report by requesting a motion to accept the low bid of Morton Salt at \$92 per ton for road salt for fiscal year 2022. Staff once again participated in the KACo Reverse Auction for road salt on April 6, 2021. Unfortunately, the heavy snow in mid-February 2021 which depleted stores in the area, combined with expectations of rising transportation and mining costs have caused higher prices for the next fiscal year. The price for fiscal year 2021 was \$67 per ton so this is a 37% increase. Motion was made by Commissioner Painter, seconded by Judge Pendery. All voted "Aye" and the motion passed.

Resolution R-28-21 was read by title. R-28-21 authorizes the Judge/Executive to execute a contract with the Campbell County Fire Protection Association for fiscal year 2022 funding in the amount of \$60,000. This is the same level of funding provided by the Fiscal Court over the last several years. Commissioner Painter made a motion to adopt R-28-21, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

A motion was requested to enter into an agreement with Toshiba Business Solutions for support services for the new Toshiba copier in the Police Department. The lease on the current copier expires in May. The Police Department has purchased a new Toshiba copier from the Kentucky state contract. This approval is only for the maintenance agreement. Motion was made by Commissioner Lampe, seconded by Commissioner Painter. All voted “Aye” and the motion passed.

Ms. Schenkel then requested a motion to approve the claims and claims paid per standing order dated April 14 and 21, 2021. County Attorney Steve Franzen advised that he has reviewed the claims and determined that they all appear appropriate. Commissioner Besecker made a motion to approve the claims, seconded by Commissioner Painter. All voted “Aye” and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Besecker made a motion to adjourn, seconded by Commissioner Painter. All voted “Aye” and the meeting adjourned at 6:21 p.m. Judge Pendery thanked everybody for joining the meeting.

Attachments:

Ordinance O-03-21	Amend Traffic Schedules to Add Stop Signs
Ordinance O-04-21	Amend the Zoning Map for Unincorporated Campbell County
Ordinance O-05-21	Amend the Zoning Map for Unincorporated Campbell County
Resolution R-26-21	Update Economic Development Specialist Position
Resolution R-27-21	Agreement with Legion Logistics for Campbell County Jobs Development Program
Resolution R-29-21	Approve FY22 Funding for Transit Authority of Northern Kentucky
Resolution R-28-21	Contract with Campbell County Fire Protection Association
Claims and Claims Paid Per Standing Order dated April 14 and 21, 2021.	

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk