

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

October 12, 2004

A special (change of date and location) meeting of the Campbell County Fiscal Court was held on Tuesday, October 12, 2004, at 7:00 p.m. at the Alexandria City Building, 8330 W. Main Street, Alexandria, Kentucky.

Judge Pendery called the meeting to order. A moment of silence was called for by Judge Pendery, followed by the Pledge of Allegiance. Following roll call, a quorum was declared present.

In attendance at the meeting were:

COUNTY JUDGE/EXECUTIVE
STEVE PENDERY

COUNTY COMMISSIONERS:
DAVID OTTO
KENNETH RECHTIN
WILLIAM J. VERST

Justin Verst	County Attorney
Robert Horine	County Administrator
Keith Hill	Interim Chief, Campbell County Police Department
Greg Buckler	Campbell County Jailer
Darlana Brown	Director of Housing
Pat Dressman	Director of Human Services
Melissa Williams	Administration Director
Sandra Mulligan	Fiscal Court Clerk

Judge Pendery presented the minutes from the Fiscal Court meeting of September 22, 2004. It was moved by Commissioner Otto and seconded by Commissioner Rechtin that the minutes of September 22, 2004 be approved. All voted "AYE" and the motion passed unanimously.

Judge Pendery next asked if there were any citizens or public officials present who wished to address the Court. There were none.

Judge Pendery then stated that it was his pleasure to honor Norman Veatch and present him with a plaque for 18 years of service as the Campbell County appointment to both the Campbell County Water Board and the Northern Kentucky Water District Board. He noted that there were several acquisitions, a couple of name changes, and mergers during Mr. Veatch's 18 years of service. He stated that Mr. Veatch served in the Air Force and started a banking career with Fifth Third Bank. He concluded that career with Citizens Bank where he served as a Vice President. Among his community service activities were 39 years as Treasurer of the Bellevue

Board of Education, and 18 years at the Water District. At various times, he served as Chairman with the Board, and also served as Treasurer and Secretary. Mr. Veatch has been involved in the Northern Kentucky community, by being involved with the Bellevue City Council, Holly Hill Children's Home, Campbell County Library Board, Price of Peace Lutheran Church, South Bank Fund, and various youth group activities. Judge Pendery then presented Mr. Veatch with an appreciation plaque for his outstanding dedication and service to the citizens of Campbell County as a Board member of the Campbell County Water District from 1986 to 1987 and the Northern Kentucky Water Service District from 1987 to 2004.

Mr. Veatch thanked the many representatives of the Water Board, including Director Ron Lovan and Assistant Director Ron Barrows, who were in attendance at the meeting, noting that they deserved all the credit for his desire to serve as long as he had. He stated that the Water District is very lucky to have had a staff that is unmatched and does a fantastic job. He stated that he has had great results and cooperation from everyone he has worked with over the years and thanked all those people who made that possible. Judge Pendery pointed out that many of the people Mr. Veatch was thanking were present at the meeting to witness Mr. Veatch's honor, which is a testament to the work he did and the friends he made over the years. Mr. Veatch also introduced his wife, Bonnie, noting that she has been the most important inspiration in his life. Judge Pendery thanked Mrs. Veatch for loaning her husband to the County for the last 18 years.

Judge Pendery then presented a Commendation to Barry Racke for his and his wife, Beth's, achievement in having their bull, Bubba, recognized as Grand Champion of its Breed at the Kentucky State Fair and Reserve Grand Champion of its Breed at the Ohio State Fair in August, 2004. Mr. and Mrs. Racke own Bar IV Livestock on Tippenhauer Road in Campbell County. The Rackes raise registered Gelbvieh cattle for breeding, which Mr. Racke explained are beef cows that come from Germany where they are used for a dual breed. Years ago they were used to pull carts, for milk and for meat. They are now strictly a beef breed here in the United States. Mr. Racke noted that the breed is catching on and growing quite a bit. Judge Pendery asked Mr. Racke how their cow is distinguished from others when they are in these competitions so that it becomes a champion. Mr. Racke stated that many factors are involved, such as the way they are fed, the parentage behind them, and correctness of structure. Mr. Racke then thanked the Fiscal Court for bestowing the honor on him and his wife, and thanked Mr. Horine for his efforts in getting the honor acknowledged. He noted that he and his wife appreciated the recognition of the beef cattle effort in Campbell County and also thanked Dennis Walters, President of the Cattleman's Association, who was also present at the meeting. Judge Pendery stated that the beef cattle industry has moved to the forefront of agriculture in the State of Kentucky in a lot of respects, and asked Mr. Walters to speak to the statistics. Mr. Walters stated that Kentucky will probably be the premier feeder calf state in the near future, noting that the feeder calves come out of the state and go out to the feed lots in Kansas and Chicago. Kentucky is now ranked number 3 or 4, but will soon probably be number 1 with the focus more on beef cattle. Judge Pendery then thanked and congratulated Mr. Racke for such an outstanding achievement.

Judge Pendery then requested items of Old Business be brought before the Court. Ms. Williams advised that the first order of Old Business was second reading and passage consideration of Ordinance O-21-04. She explained that this Ordinance amends the text of the Official Zoning Ordinance, Section 17.0 (D.2), Notification Requirements, to allow adjacent property owners to be notified by first-class mail, rather than by registered or certified mail, of requested zone

changes. This amendment is consistent with present State law. She noted that the amendment has been endorsed by the Campbell County & Municipal Planning and Zoning Commission, and by Peter Klear, Planning Director. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Verst seconded, to approve Ordinance O-21-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-106-04, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution authorizes a Contract Addendum with the City of Dayton that allows the Campbell County Road Department to assist with cleaning a ditchline on Dayton Pike and along the floodwall in Dayton. She noted that the Court took action at its September 8, 2004 meeting to allow staff to finalize the Addendum. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Otto seconded, to approve Resolution R-106-04. All voted "AYE" and the motion passed unanimously.

Judge Pendery next requested items of New Business be brought before the Court. Ms. Williams advised that the first order of New Business was a first reading of Ordinance O-22-04. She explained that this Ordinance prohibits electioneering within 200 feet of the main entrance to a building used as a polling place. The Ordinance was requested by Jack Snodgrass, Campbell County Clerk. She noted that Robert Horine, County Administrator, was present to answer any questions. Judge Pendery stated that this Ordinance is being passed as a corrective measure and will be identical with Boone and Kenton Counties' ordinances. Mr. Horine stated that there was a State law that was struck down in early 2004 that prohibited electioneering within 500 feet of a polling place. The Courts struck this law down because they felt there was no justification for such a broad limit on electioneering. In the absence of any law on electioneering, thus far 97 of the 120 counties in Kentucky have passed local ordinances to restrict electioneering. He noted that this Ordinance does not prohibit the placement of signs on private property that might be within the 200-foot zone, but rather prohibits passing out of literature and attempting to talk to voters about candidates within that zone. Justin Verst, County Attorney, stated that after meeting with the other two counties, all three county attorneys felt comfortable that this new ordinance would sustain any challenge in the Court system. Commissioner Rehtin stated that as the Ordinance reads, it prohibits electioneering within 200 feet from the entrance to the polling place, but many polling places have several entrances to them. He would like to have it clarified in the Ordinance that the 200 foot zone pertains to the "commonly" used entrance for polling. He gave as examples the entrance to Newport High School, which is a polling place, and has an entrance in the front of the building that could be considered within the 200 foot zone, but voters enter the side entrance to vote, and the entrance to St. Catherine's Parish, which has an entrance at the far end that is about 200 feet away from the entrance to the actual polling place. Mr. Verst stated that the Ordinance should be interpreted to mean the entrance that is commonly being used for the polling place for voting purposes, and that the wording indicates within 200 feet of the main entrance of a building used by voters. Commissioner Rehtin stated he would like to have a sentence added to clarify the matter. Mr. Verst stated that the Court should think about this issue and decide whether to clarify it further in the Ordinance before its second reading. Commissioner Rehtin stated he had also spoken with the Democratic Committee Executive Chairman for Campbell County, Ken Mullikin about the importance that both parties be aware of this new legislation, if passed by the Fiscal Court. Mr. Mullikin stated that the Democratic Party supports this new legislation and realizes that people have the constitutional right to express

themselves, but not to interfere with or intimidate voters. He stated that he had contacted all of the Democratic campaigns that will be on the ballot in Campbell County this year, and all of those campaigns have agreed that they will not organize poll workers at all. He plans to talk with the Republican campaigns tomorrow and hopes they will agree to the same. Judge Pendery thanked Mr. Mullikin for his comments. Ms. Williams advised that no action was necessary on the Ordinance at this meeting, and action would be taken on second reading at the next Fiscal Court meeting.

Ms. Williams then presented Resolution R-112-04, which she read by title and provided a summary to the Court for its consideration. She stated that this rescinds Resolution R-100-04, which was approved by the Fiscal Court on September 8, 2004, due to the latest change in Fair Market Rents set by HUD in the final publication of Standards for the Housing Choice Voucher Programs. The latest standards revert to the standards used in the prior year. She noted that Darlena Brown, Housing Director, recommends the Payment Standard in the Campbell County Housing Choice Program be set at 105% of the fair market rents, and stated that Ms. Brown was present to answer any questions. Commissioner Rechtin asked Ms. Brown for a clarification on the rescission by HUD. Ms. Brown stated that payment standards are set every year in October by HUD for the nation. The standards are based on original markets from the last census. The rental markets were decreased in some areas of the nation. Agencies start getting their fair market pay standards ready for adoption near October 1 for the coming year. Housing funds across the nation are being cut, which has caused Fair Market Rents in Kentucky, as well as the nation, to be lowered. This has been caused because of funds being cut for housing. After HUD switched from larger metropolitan areas, where the Fair Market Rents are so much higher, to some of the rural areas, the rates that were previously approved had to be revised, thereby causing those rates to be rescinded. There being no further discussion, Commissioner Verst made a motion and Commissioner Rechtin seconded, to approve Resolution R-112-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Resolution R-113-04, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution increases the payment standards to be used in the Pendleton County Housing Choice Voucher Program. She noted that HUD had put Pendleton County into the Cincinnati Metro County Area for establishing market rents, which increases the standards for Pendleton County. The Fair Market Rent is being recommended at 90%. There being no further discussion, Commissioner Otto made a motion and Commissioner Rechtin seconded, to approve Resolution R-113-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to create the position of Senior Center Fitness/Wellness Coordinator (part-time) to work at the Campbell County Senior Center. This position will be compensated at \$20.97 per hour, Grade 11K. The funding for this position was included in the Fiscal Year 2005 budget by Human Services Director, Pat Dressman. There being no further discussion, Judge Pendery made a motion and Commissioner Verst seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Resolution R-114-04, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution amends the Campbell County Administrative Code Organizational chart and Authorized Position List to include the

newly-created position of Senior Center Fitness/Wellness Coordinator (part-time). Commissioner Rehtin inquired as to whether the person in the newly-created position would answer to Marsha Dufeck. Ms. Dressman, Human Services Director, stated that Ms. Dufeck was the Senior Center Manager, and that the newly-created position would require that person to have credentials in Red Cross training, or CPR training, or any type of training dealing with health and wellness. The person hired will be working under Ms. Dufeck's direction. There being no further discussion, Judge Pendery made a motion and Commissioner Rehtin seconded, to approve Resolution R-114-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion authorize staff to advertise, interview, and hire for the position of Senior Center Fitness/Wellness Coordinator (part-time). There being no further discussion, Judge Pendery made a motion and Commissioner Rehtin seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested that the motion to extend the employment terms of Golf Course Maintenance Seasonal Employees Elden Siemer, Charles Rauch, Terry Kennedy, Roger Church and Denny Newberry, through and including November 26, 2004, to allow workers to remove leaves and do fall maintenance. This motion is recommended by Golf Course Superintendent, Steve Myers. There being no further discussion, Judge Pendery made a motion and Commissioner Verst seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested that the motion to extend the employment terms of Park Maintenance Seasonal Employees Albert Ward and Jim Sammons, through and including November 19, 2004, to close out the camping season at A.J. Jolly Park. This motion is recommended by Park Manager, Dennis Reller. There being no further discussion, Judge Pendery made a motion and Commissioner Rehtin seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested that the motion to extend the employment terms of Park Maintenance Seasonal Employee James Herald, through and including October 24, 2004, to work the park entrance gates on the weekends at A.J. Jolly Park. This motion is recommended by Park Manager, Dennis Reller. There being no further discussion, Judge Pendery made a motion and Commissioner Rehtin seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to adjust the compensation of Mark Brant, Building Inspector II, from Grade 12L (\$43, 458 annually) to Grade 12M (\$44,544 annually), effective October 11, 2004. Mr. Brant was hired in April and was not eligible for the 2.5% merit increase that other employees received in July. Mr. Brant has now been employed for 6 months and is eligible for the 2.5% merit increase after receiving a positive recommendation by his Director, Peter Klear. There being no further discussion, Judge Pendery made a motion and Commissioner Otto seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Judge Pendery next requested reports from Staff. Mr. Horine stated he had nothing further to report at this meeting.

Judge Pendery then requested a report from the County Attorney's office. Mr. Verst advised she had nothing further to report at this meeting.

Judge Pendery next requested reports from the Commissioners. Commissioners Otto, Verst and Rehtin stated they had nothing further to report at this meeting

Judge Pendery thanked the City of Alexandria for the use of their Council meeting room for this meeting. This was necessitated by a change in meeting dates due to schedule conflicts. He next announced as a reminder that the County's Clean-Up dates are October 22, 23 and 24. He noted that these Clean-Ups are the programs that the County operates that are best received by the citizens of Campbell County, and produces a remarkable job of keeping things clean in the County. He noted that the County has a relative handful of dumpsites that are continuously being cleaned up. He then stated that the next Fiscal Court meeting would be held on October 20, 2004 at the Campbell County Fiscal Court Conference Room in Newport, at 5:30 p.m. This meeting will bring the Court meetings back on schedule. The first Fiscal Court meeting in November will be held on Wednesday, November 3, 2004 at the Campbell County Courthouse in Alexandria. There will also be a Mayors' meeting on Tuesday, October 26, 2004, at 7:30 a.m. at the Callahan Center in Bellevue, located behind the Bellevue City Building.

Judge Pendery then asked Pat Dressman, Director of Human Services, to give a report on the programs and services offered to Senior Citizens in Campbell County. Ms. Dressman reported that the Senior Picnic was a great success, with over 1,100 people attending. The cost for the picnic is approximately \$20,000, but the County has been able to keep the tickets at a cost of \$6.00 by getting sponsors to donate food, door prizes, and other items. The County also has the Senior Center available for use by senior citizens. Last year many seniors participated in different events at the Center over the year. The Center is building a new wellness/fitness addition and a coordinator will be hired. The new addition is expected to be open and running in December. Many programs will be offered to the senior citizens when the new addition is open such as tai chi, free exercise classes, balance classes, overall wellness classes, and massage room. The County, through the aging tax, also provides services throughout the county such as home delivered meals that helps to keep the seniors independent and provide nutrition that they need to survive. Other services provided are homemaking services, personal care services, case management services through the Northern Kentucky Area Development District (contact at 283-1885), and legal aid services. She noted that last year there were several senior citizens in nursing homes who were losing their Medicaid funding due to changes in the law. Legal Aid Services went to bat for those seniors and Governor Fletcher reinstated them for funding. The County also provides services for home repair through People Working Cooperatively. Many seniors who own property but cannot afford necessary home repairs can be helped through this program. St. Vincent DePaul also provides a pharmacy for low income people of all ages, which funding is helped by Campbell County. The County provides some transportation services through the TANK program and Senior Services for medical purposes, wherein TANK has reduced fares for seniors. There is also some protection from abuse that has been funded in the past, and the County continues to pursue this program. The County provides a respite program for caregivers of someone who is very ill, whereby there is funding to assist these caregivers. Judge Pendery thanked Ms. Dressman for the report and stated that the Court appreciates her efforts in helping to provide these services. Ms. Dressman noted that any senior citizen who

wished to attend the Senior Center or any of its activities, they could call the Center at 859-572-4300, noting there are many activities that are held every day at the Center.

Commissioner Verst stated that the Senior Center and the senior citizens themselves have given the County an opportunity for the younger citizens to get involved. There are grade school and high school students who come to the Center for concerts and to help with the meals. He believes it is very important for the young children to get involved with community service projects such as these, noting that the senior citizens and children always enjoy the visits. He stated that the Senior Center, being the focal point that it is, gives an opportunity for the generations to get together just to be with one another. He also noted that being able to work with Northern Kentucky University to get their students who are obtaining degrees of activity and occupation involved with these programs.

Ms. Dressman then noted that Highlands High School students come to the Center every Christmas to serve dinner to the senior citizens and perform a Christmas concert that is outstanding. She also stated that she would be meeting with Northern Kentucky University in a couple of weeks to set up an intern program to work at the Senior Center. There are many opportunities for the senior citizens, their families and volunteers.

Judge Pendery then reminded all senior citizens that the County offers many discounts for their use, such as golf, animal shelter adoptions, and the homestead exemption on real estate taxes, which is available to anyone 65 years or older.

Commissioner Rehtin then stated that the Senior Picnic was a wonderful event this year, and was a wonderful opportunity to walk around and talk to the senior citizens. One of the comments that he received many times from senior citizens at the picnic was that there were no discounts for attending the parks, or fishing. He requested the Court to consider giving similar discounts that are given to golfers for park entrance or fishing at the lakes. Judge Pendery stated this was a possibility and asked County Administrator, Robert Horine, to look into these discounts.

Judge Pendery then asked for a report from the Fiscal Director. In Mr. Seibert's absence, Mr. Horine gave his report. Mr. Horine presented Resolution R-115-04, which he read by title and provided a summary to the Court for its consideration. He stated that this Resolution authorizes a one-year extension of the Concession Services Agreement with Mr. William Pigg at A.J. Jolly Golf Course. He noted that the current agreement expires at the end of this calendar year, but the beer license expires this month, which necessitated an extension of the agreement. The current contract allows for up to a five-year extension. The Resolution is recommended by Terry Jolly, Golf Course Director. There being no further discussion, Commissioner Otto made a motion, and Commissioner Rehtin seconded, to approve Resolution R-115-04. All voted "AYE" and the motion passed unanimously.

Mr. Horine then requested a motion to authorize staff to purchase from the Kentucky State Contract kitchen equipment to be used in the temporary Restricted Custody Center, and later to be utilized in the new kitchen expansion at the Campbell County Detention Facility. The new Restricted Custody Center will add 128 beds to the jail operation. While the current kitchen is already overloaded, provisions have been made for a service building adjacent to the Restricted

Custody Center to set up a temporary kitchen to serve the needs of the additional prisoners who will be held at the Detention Center. The equipment that will be installed at the service building is equipment that will eventually be moved into the new kitchen facility that is to be constructed adjacent to the Detention Center. The purchase of the equipment is recoverable under any bond issue that might be issued for the various construction projects at the jail and can be financed over time. The total cost of the equipment is \$71,347, to be purchased from one of two vendors. There being no further discussion, Commissioner Otto made a motion and Commissioner Verst seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Mr. Horine next requested a motion to authorize staff to advertise for bids or secure quotes as necessary to purchase additional kitchen equipment to be used in the temporary Restricted Custody Center, and later to be utilized in the new kitchen expansion at the Campbell County Detention Facility. These are items that are not available under State contract and the Court will need to secure bids or quotes on items. The budget price for this equipment is \$52,200. There being no further discussion, Commissioner Otto made a motion and Judge Pendery seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Mr. Horine then requested approval of the Claims being presented at this meeting. Mr. Verst stated that he had reviewed the claims and that they appeared to be appropriate. Commissioner Otto commented that throughout the nation we are in the midst of a health care crisis, and pointed out some of the expenses that Campbell County taxpayers pay for inmates at the jail. In this month's claims, there was an invoice for \$1,860 for emergency room, lab and EKG for an inmate, another for \$2,536 for emergency room, lab and IV for an inmate, another for \$140 for a mammogram for an inmate. The total for medical, labs and physicians was over \$13,000 this month. He stated that something needs to be done about this and while he recognizes that the State has its problems on this issue, it is a problem that Campbell County needs to get a handle on. He believes if nothing is done about this crisis, services such as those for senior citizens, may have to be cut back. The medical expenses at the jail are expenses that the County has no choice but to pay. He then requested Jailer, Greg Buckler, to share the details about an incident that happened prior to the meeting. Mr. Buckler stated that the medical expenses for the jail are required by law to be paid by the County, and noted that St. Luke offers the County a discount program of 35%. He also reported that an incident occurred prior to the meeting wherein one of the local police departments pulled over a young woman who was en route to U.C. Hospital. She was a high risk pregnancy and had had a miscarriage and another child that was born during her 29th week of pregnancy. When the woman's information was checked, it was found that she had 5 outstanding warrants on her. The woman was brought to the County jail and was sent on to St. Luke Hospital, where they immediately sent her by life squad to U.C. Hospital. Working with the District Court and Family Court judges, the County was able to get the woman released on her own recognizance. She had no insurance on her medical card, which causes the County to have to pay the initial expense from St. Luke Hospital up to the point where she was released on her own recognizance. While the woman was in custody, the law requires a deputy to stay at the hospital with her, which creates an overtime cost to the County. There being no further discussion, Commissioner Otto made a motion that the claims be approved and paid. Commissioner Rechtin seconded the motion. All voted "AYE" and the motion passed unanimously.

There being no further business to come before the meeting, it was moved by Commissioner Verst, seconded by Commissioner Rehtin, that the meeting be adjourned. All voted "AYE" and the meeting was adjourned at 8:00 p.m.

Attachments:

Ordinance O-21-04: Amendment to Text of Zoning Ordinance
Ordinance O-22-04: Prohibition of Electioneering at Polling Places
Resolution R-106-04: Contract Addendum with City of Dayton
Resolution R-112-04: Revision of Standards for Campbell County Housing Choice Voucher Program
Resolution R-113-04: Revision of Standards for Pendleton County Housing Choice Voucher Program
Resolution R-114-04: Amendment of Administrative Code Organizational Chart and Authorized Position List
Resolution R-115-04: Extension of Concession Services Agreement at A.J. Jolly Golf Course
Claims: October 12, 2004

Approved:

/s/ Steve Pendery
STEVE PENDERY
Campbell County Judge/Executive

Attest:

/s/ Sandra L. Mulligan
Sandra L. Mulligan
Fiscal Court Clerk