

**CAMPBELL COUNTY, KY FISCAL COURT  
MINUTES**

**FEBRUARY 1, 2023**

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, February 1, 2023, 9:00 a.m. at the Campbell County Courthouse, 8352 East Main Street, Alexandria, Kentucky.

In attendance were:

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

Assistant County Attorney Pat Walsh,  
County Administrator Matt Elberfeld,  
Fiscal Court Clerk Paula Spicer,  
Assistant County Administrator Kim Serra,  
Finance Director/Treasurer Laura Lewis,  
Police Major Jeremy Newberry,  
Parks & Recreation Director Larry Harrod,  
Assistant County Attorney Michelle Eviston

The meeting was called to order at 9:00 a.m. by Judge Pendery. Cable Access was present to film the meeting. The meeting was also broadcast live on the Campbell Media website.

Judge Pendery asked for a moment of silence followed by the Pledge of Allegiance

Following roll call, a quorum was declared present.

Judge Pendery requested a motion to approve the minutes from the Fiscal Court regular meeting of February 15, 2023. Motion was made by Commissioner Lampe, seconded by Commissioner Painter to approve the minutes. All voted "Aye" and the motion passed.

Judge Pendery then called on Larry Harrod, Parks and Recreation Director to present his 2022 Annual Parks report. Mr. Harrod announced that today was the first day to make reservations for camping and shelter rentals at the parks and reservations totaling \$8,000 had already been made this morning. He stated that 2022 was a strong season for Campbell County's parks. Camping and use of the lake continue to bring new people to the parks. Jolly Thursdays and the Halloween Spooktacular were very well attended. The Sun Valley Music Festival returned in 2022 and the Festival on the Lake had a great music lineup. He acknowledged the parks partners

the Campbell County Library, Northern Kentucky Horse Network, Fraternal Order of Police and the Dragon Boat Race organizers who do much to promote the park through their events. Mr. Harrod stated that improvements are made each year to the park and listed those made in 2022. He then addressed improvements and programs planned for 2023. Finally, Mr. Harrod thanked the Fiscal Court, Maintenance Staff, Library and Kim Serra. Judge Pendery and the Commissioners thanked Mr. Harrod for his report. Commissioner Lampe also thanked Mike Braun and the Jolly Community Development Council (CDC) for their work at the parks. Commissioner Painter commented on the great attendance at the 2022 Dragon Boat Races and the upcoming music lineup for this year's Festival on the Lake. He thanked Kim Serra as well. Judge Pendery thanked Donna Grey and the CDC for their efforts. Ms. Grey gave credit to Kim Serra and Matt Elberfeld.

Adam Chaney, Executive Director, Sanitation District No. 1 (SD1) along with Lydia Watkins Senior Director of Engineering reported on SD1's proposed rate adjustments. By way of background, he reviewed SD1's plan presented to the Fiscal Court four years ago. The majority of SD1's costs are fixed. Prior to 2019 when they made a rate adjustment, 100% of revenues were variable with water consumption. The rate structure did not align the cost of providing service with the revenue structure. In addition, there was a sustained decline in water consumption resulting in raising of rates to make up the difference. There was also rate inequity between residential customer classes because rates were not aligned with peer utilities in the region. On average SD1 had to raise rates 6.06% just to net a 5% rate increase – this was not sustainable. With the inequity between low users and high users the minimum bills were not covering the fixed charges. Four years ago, they created a four-year plan to address many issues, it was approved by the Fiscal Court and he believes they've accomplished their goals and hopefully built trust in the community. Mr. Chaney then discussed future goals to meet all obligations of the Clean H2O40 program. More adjustments over time are needed. Mr. Chaney stated that the customer assistance program for low income low users will remain in place. He addressed non-residential rates in particular small non-residential customers. Mr. Chaney showed a video then explained SD1's Clean H2O40 program to eliminate sewer overflows. Commissioner Besecker appreciated the opportunities that he's had to meet with Mr. Chaney. He talked about water consumption and the customer assistance program. Commissioner Lampe thanked Mr. Chaney for SD1's good work and for keeping the Fiscal Court informed throughout the year. Judge Pendery stated that all would agree that the environment needs to be cleaned up, but there is also concern locally with growth. Many of SD1's projects serve double duty as compliance projects and to enable growth to take place. Mr. Chaney stated that their financial models do include 1% growth and having the infrastructure in place. He then talked about the US 27-AA Highway project which will open that area for development. Commissioner Painter stated that the US 27-AA Highway project will make sewers available without flow restrictions so that development will be able to move ahead. Mr. Chaney stated that while working on the 2040 plan SD1 looked at every developable piece of property in every county.

Matt Elberfeld read Resolution R-16-23 by title. R-16-23 approves adjustments to Sanitation District No. 1's sanitary sewer rates to limit projected budgeted revenue to no more than 5 percent over the previous fiscal year for fiscal years 2024, 2025, 2026 and 2027. This Resolution is everything just outlined on the adjustments, keeping the environmental surcharge through 2040 and the assistance program. This needs to be approved to ensure that SD1 complies

with KRS 220.035 and 220.542. Commissioner Besecker made a motion to adopt R-16-23, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

Judge Pendery then called on Lee Crume, President and CEO of Northern Kentucky Tri-ED to address the Fiscal Court. Mr. Crume stated that Tri-ED has been around for nearly 40 years. Tri-ED helps companies locate in the community and grow/expand with the focus on providing family-sustaining jobs. This is about bringing new dollars into the community. For most of the last 40 years Tri-ED has been funded by the Motor Vehicle License Fee a fee placed on rental vehicles anywhere in northern Kentucky. In 2022 the General Assembly changed the Motor Vehicle License Fee to allow for new technologies. The Boone, Campbell and Kenton County Fiscal Courts approved changing the fee to adopt technologies which will provide additional revenues to Tri-ED. Mr. Crume then talked about Tri-ED’s Build and Elevate Northern Kentucky program composed of four specific courses of work including becoming a data informed community, workforce, being targeted in business growth and use of the Port of Northern Kentucky’s tools. He also talked about the Northern Kentucky Atlas website launched by Tri-ED last year. Today, there is about \$4.6 million in investment in the Build and Elevate program, mostly from private corporation. He understands that the Fiscal Court may become an investor in this program as well. Commissioner Besecker thanked him for coming to the meeting. The community has grown economically over the past few years which brings challenges and he is appreciative that Tri-ED and other partners are working on workforce issues to gain more qualified workers. He believes that Mr. Crume is talking about a public partnership with private sector which has put in a tremendous amount of capital to help get what is needed. Mr. Crume stated that initially they wanted it to be a private/public partnership. Since joining Tri-ED he has wanted to get the private sector more involved. The Judge/Executives took a leap of faith four years ago in getting the private sector to lead Tri-ED. Commissioner Painter asked about the structure of the Northern Kentucky Port Authority. Mr. Crume explained that the Port Authority was established over 50 years ago by the Boone, Campbell and Kenton County Fiscal Courts as a legislatively created entity, quasigovernmental entity, and must follow open records rules etc. The Board consists of 6 persons, 2 appointed from each county. For a long time, Northern Kentucky did not need the Port to do things such as land development. For many years Tri-ED has been the administrative function of the Port, paying their bills and scheduling their meetings because they weren’t needed to do much. But he believes that the time has come for them to get active and get engaged. Because they have not needed the Port in previous years, we have routinely missed out on programming enacted by the legislature. When the Port is up and doing projects, they will be in a better position to capture their share of state and federal funding.

Mr. Elberfeld read Resolution R-18-23 by title. R-18-23 approves funding for Northern Kentucky Tri-County Economic Development Corporation. This will provide \$50,000 in annual funding for fiscal years 2023, 2024, 2025, 2026 and 2027 as part of the Build and Elevate Campaign. Commissioner Besecker made a motion to adopt R-18-23, seconded by Commissioner Painter. All voted “Aye” and the motion passed.

Mr. Elberfeld explained that the State is requiring updated electronic pollbooks. There are four vendors approved by the State that have a master agreement. County Clerk Jim Luersen recommends authorizing the purchase of up to 110 electronic pollbooks from Knowink via the

State master agreement with a purchase price up to \$193,050. Most of the cost will be reimbursed.

Mr. Luersen explained the use of the electronic pollbooks which have been used since 2018. At that time the State provided the e-pollbooks. They are indispensable for early voting. The contract with the current vendor ends in April and the State determined that the Counties would be responsible for buying their own e-pollbooks. Four companies were approved to sell the e-pollbooks in the state but weren't approved until the last day of 2022. As of last Thursday, only two of the four companies' RFPs were approved for pricing. There is about an eight-week turnaround time to order, get the equipment, load information, learn how to use them and then train poll workers on how to use them prior to the May 16 primary election. He has decided to use Knowink, one of the two companies approved, they work with Harp, the election equipment provider and are in 23 states. He emphasized that this has nothing to do with the voting machines purchased in 2021. The federal government will reimburse the State and the County will get reimbursement through the Department of Local Government probably in the amount of \$188,000 in the first round of grants. Another rounds of grants later in the year may cover some of the expense of the equipment bought in 2021. He is requesting authorization to purchase these machines now so they are ready in time for the election. Mr. Elberfeld pointed out that they are mandated to be used by this May primary. Mr. Luersen added that the existing equipment will be out of contract in April and cannot be used. Commissioner Besecker asked why new ones are needed this year other than the legislature's action. Mr. Luersen explained that the state decided not to renew the contract with the current vendor which expires in April and legislation passed last year provided that the counties must purchase their own equipment. Commissioner Besecker asked if the voting roster are embedded in the pollbooks through the Secretary of State's office or the Clerk's office. Mr. Luersen stated that the vendor will get the information downloaded from the state. There is no other content on the equipment.

A motion was requested to authorize the purchase of 110 electronic pollbooks from Knowink via state master agreement with a purchase price of up to \$193,050. Motion was made by Commissioner Lampe, seconded by Commissioner Besecker. All voted "Aye" and the motion passed.

Resolution R-19-23 was read by title. R-19-23 authorizes the filing of a Kentucky House Bill 1 (HB1) County Clerks Election Equipment Grant application for up to \$193,050 in HB1 project funds with the Department for Local Government (DLG); authorizing and directing the Campbell County Judge/Executive to execute any documents which are deemed necessary by DLG to carry out this project; and authorizing the Judge/Executive to act as the authorized correspondent for this project. Commissioner Lampe made a motion to adopt R-19-23, seconded by Commissioner Painter. All voted "Aye" and the motion passed.

Finding that nobody had signed in to address the Fiscal Court, Judge Pendery proceeded with the agenda.

There being no old business, Paula Spicer presented new business with Resolution R-15-23. R-15-23 amends the Campbell County Police Policy and Procedure Manual at Chapters 8F.1 "CJIS, LINK, NCIC and NLETS", 19F.1 "Court Attendance" and 31.1 "Assignment Openings".

Commissioner Besecker made a motion to adopt R-15-23, seconded by Commissioner Painter. All voted “Aye” and the motion passed.

Resolution R-17-23 was read by title. R-17-23 authorizes the Judge/Executive to apply to the Kentucky Transportation Cabinet for 80/20 Rural Secondary Bridge Program funds for replacement of a bridge on Barrs Branch Road. Commissioner Besecker made a motion to adopt R-17-23, seconded by Commissioner Painter. All voted “Aye” and the motion passed.

A motion was requested to appoint the following seasonal employees for the Facilities Maintenance, Parks and Golf season effective March 1, 2023 with actual start dates determined by department needs:

<b>NAME</b>	<b>JOB TILE</b>	<b>RATE/ HOUR</b>	<b>EFFECTIVE DATE</b>
Steven Fields	Parks & Recreation Maintenance Worker	\$16.00	03/01/2023
James McCafferty	Parks & Recreation Maintenance Worker	\$16.00	03/01/2023
Perry Mocahee	Parks & Recreation Maintenance Worker	\$16.00	03/01/2023
Samuel Murrell	Parks & Recreation Maintenance Worker	\$16.00	03/01/2023
Jeffrey Osterhage	Parks & Recreation Maintenance Worker	\$16.00	03/01/2023
David Harris	Golf Course Maintenance Worker	\$13.25	03/01/2023
Homer Jack	Golf Course Maintenance Worker	\$13.25	03/01/2023
Joseph Koblitz	Golf Course Maintenance Worker	\$13.25	03/01/2023
Donald Thomas	Golf Course Maintenance Worker	\$13.25	03/01/2023
Charles Rauch	Golf Course Maintenance Worker	\$13.25	03/01/2023
Blake Stormer	Golf Course Maintenance Worker	\$13.25	03/01/2023
Amanda Herald	Parks & Recreation Assistant	\$16.50	03/01/2023
Douglas Eglan	Park Ranger	\$13.25	03/01/2023
Rebecca Pieczynski	Park Ranger	\$13.25	03/01/2023
Andrew Wehmeyer	Park Ranger	\$13.25	03/01/2023

Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted “Aye” and the motion passed.

A motion was requested to increase the annual stipend of Major Jeremy Newberry as the designated Captain in charge of the Police Department in the absence of the Police Chief, to \$10,000 (\$384.62 biweekly) in addition to the pay and benefits of his permanent rank effective beginning in Fiscal Year 2023, July 1, 2022. Motion was made by Judge Pendery, seconded by Commissioner Besecker. All voted “Aye” and the motion passed.

A motion was requested to advance Sergeant Donald Dornheggen from SGT2 (\$39.47/hour or \$82,098 annually) to SGT3 (\$40.65/hour or \$84,552 annually) effective February 2, 2023 in accordance with the current Fraternal Order of Police working agreement. Motion was made by Judge Pendery, seconded by Commissioner Besecker. All voted “Aye” and the motion passed.

A motion was requested to advance Officer Andrew Champagne from PO7 (\$33.47/hour or \$69,618 annually) to PO8 (\$36.49/hour or \$75,899 annually) effective March 10, 2023 in accordance with the current Fraternal Order of Police working agreement. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

A motion was requested to appoint Janie Patterson to the full-time Executive Secretary/Fiscal Court Clerk position in the Campbell County Fiscal Court Administration Department with compensation set at pay grade 5, \$62,000 annually. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

A motion was requested to appoint Alisha Schweitzer, Michael Sutton and James Morgan Jr. to the Campbell County Ethics Commission for a one-year term effective February 2, 2023 through January 31, 2024. Motion was made by Judge Pendery, seconded by Commissioner Besecker. All voted “Aye” and the motion passed.

Matt Elberfeld presented his report beginning with a motion to meet in executive session pursuant to KRS 61.810(1)(c) to discuss proposed or pending litigation against or on behalf of the public agency.

Commissioner Besecker made a motion to meet in executive session pursuant to KRS 61.810(1)(c) to discuss proposed or pending litigation against or on behalf of the public agency, seconded by Commissioner Lampe. All voted “Aye” and the Fiscal Court convened in executive session at 10:29 a.m.

Commissioner Painter made a motion to adjourn the executive session and return to the regular meeting, seconded by Judge Pendery. All voted “Aye” and the Fiscal Court reconvened the regular meeting at 10:34 a.m.

Mr. Elberfeld then read Resolution R-20-23 to authorize execution of the settlement participation form related to the opioid litigation with Meijer. Commissioner Lampe made a motion to adopt R-20-23, seconded by Commissioner Painter. All voted “Aye” and the motion passed.

The Assistant County Attorney had no report for the meeting

Commissioners Besecker, Lampe and Painter had no reports for the meeting.

Judge Pendery announced that reservations for camping and shelter rentals at AJ Jolly and Pendery Parks are now open. To make reservations please visit the County’s website or call the Parks and Recreation Department.

Laura Lewis presented the Finance Director/Treasurer’s report by requesting a motion to authorize staff to advertise for bids for an asphalt paver to be used for roads and recreation paths. Campbell County will carry out the bid process with Boone and Kenton Counties participating. Motion was made by Commissioner Besecker, seconded by Commissioner Painter. All voted “Aye” and the motion passed.

Ms. Lewis requested a motion to approve interfund transfers dated January 31, 2023. Motion was made by Commissioner Besecker seconded by Commissioner Painter. All voted “Aye” and the motion passed.

A motion was requested to approve budget transfers dated January 31, 2023. Ms. Lewis stated that the transfers don't increase the total size of the budget, but reallocate funds to different line items. Motion was made by Besecker, seconded by Commissioner Painter. All voted "Aye" and the motion passed.

Ms. Lewis then requested a motion to approve the claims and claims paid per standing order dated January 25 and February 1, 2023, and employee benefit claims dated February 2, 2023. Assistant County Attorney Pat Walsh advised that the County Attorney has reviewed the claims, claims paid per standing order and employee benefit claims and determined that they all appear appropriate. Commissioner Besecker made a motion to approve the claims, seconded by Commissioner Painter. Commissioner Lampe agreed with payment of the claims however, recused himself from approving any claims related to employee benefits due to his employer's relationship with those companies. 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 10:40 a.m.

Attachments:

- Resolution R-16-23 Approve Adjustments to Sanitary Sewer Rates
- Resolution R-18-23 Approve Funding for Tri-ED
- Resolution R-19-23 Application for County Clerks Election Equipment Grant
- Resolution R-15-23 Amend Police Policy and Procedure Manual
- Resolution R-17-23 Application to KYTC for Bridge Replacement Funds
- Resolution R-20-23 Approve Execution of Settlement Participation Form
- Interfund Transfers dated January 31, 2023
- Budget Transfers dated January 31, 2023
- Claims and Claims Paid Per Standing Order dated January 25 and February 1, 2023, and
- Employee Benefits Claims dated February 2, 2023

Approved:

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STEVE PENDERY  
Judge/Executive

Attest:

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Paula K. Spicer, Fiscal Court Clerk