President Moriconi called the 2012 organizational meeting to order at approximately 9:34 AM in the Commission Chambers at NKAPC. Attendance of members was as follows.

<table>
<thead>
<tr>
<th>JURISDICTION</th>
<th>POSITION</th>
<th>NAME</th>
<th>PRESENT</th>
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<td>Councilman Mike Pope</td>
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Indicates the jurisdiction was represented during votes taken by the Council.

NKAP Commission Members Present:

Bill Goetz, Sherry Carran, Tom Kriege, Tom Litzler, Dick Spoor, and Paul Meier.
Others Present: Douglas Beckham, Edgewood City Administrator; Linda Carter, Erlanger City Administrator; John Chamberlin, CPA, MBA, Van Gorder, Walker & Co., Inc.; Brian Dehner, SD1; Ken Easterling, Kenton County District Court Judge; Garry Edmondson, NKAPC Legal Counsel; Skip Fangman, Park Hills Councilman; Gary Huff, Fort Wright City Administrator; Kris Knochelmann, Kenton County Commissioner; Mark Kreimborg, Kenton County Deputy Judge-Executive; Brian Miller, HBA; Phillip Ryan, III, former Park Hills Councilman; Chuck Scheper, Covington Mayor; Harry Sprott, Fairview Mayor; and Tim Williams, Crestview Hills City Administrator.

NKAPC Staff Present: Trisha Brush, GISP, Deputy Director for GIS; Tom East, GISP, Senior GIS Specialist; Keith Logsdon, AICP, Deputy Director for Long Range Planning; Christy Powell, GISP, Senior GIS Specialist; Dennis Andrew Gordon, FAICP, Executive Director; and Lori Remley, Administrative Assistant/Office Manager.

President Moriconi asked for a roll call and requested that the record show a quorum of the Council was present.

ACCEPTANCE OF AGENDA

President Moriconi asked for review of the agenda. With no changes or additions, the agenda was accepted as presented.

PRESENTATION

President Moriconi asked for the report from VanGorder Walker CPAs on the audit of NKAPC’s FY11 financial books. Mr. Gordon stated that, in response to recent events, a more in-depth review was conducted this year. He stated that the auditors had been asked to look at the results of SD1’s audit and render an opinion regarding NKAPC standing in these areas. He indicated that there are several issues that need to be addressed in the personnel/policy manual and that the remaining issues would take more time to take care of. He then introduced John Chamberlin of VanGorder Walker.

Mr. Chamberlin provided a PowerPoint presentation similar to that which was recently made to the Commission. He outlined the Auditor’s Opinion and Balance Sheet Comparison. He indicated that the Asset Comparison shows that NKAPC is in good shape. He stated that a comparison of the Revenue versus Expenditures shows that NKAPC has changed its operations to meet revenue shortfalls. He outlined Budget to Actual Revenue and Expenditures and stated that Expenditures by Function shows that the largest expenditure is in the general government category. Mr. Chamberlin showed a breakdown of the General Government Function.

Mr. Chamberlin advised that the Commission review is more in depth and asked if members had any questions.

With no questions or comments, President Moriconi moved on to Ongoing Business.
ONGOING BUSINESS

President Moriconi asked if the Minutes of the December 10, 2011 monthly business meeting were acceptable or if anyone had any additions/corrections. Mayor Link made a motion to accept the December 10th minutes as presented; Mayor Wiest seconded the motion. President Moriconi asked for a voice vote on the motion which found unanimous approval. The motion passed.

The next item on the agenda was the report and final recommendations from the Financial Review Committee. President Moriconi thanked the other members of the committee: Judge-Executive Steve Arlinghaus (through Deputy Judge-Executive Mark Kreimborg); Commissioner Sherry Carran; Councilwoman Elizabeth Fricke; Mayor Joe Nienaber; Mayor Tom Rouse; Councilman Tom Vergamini; and, Mayor Chris Wiest. He also thanked staff for their time and effort. He stated that the committee met many times since August and that they come up with 16 recommendations [a copy of which is attached to the original minutes].

President Moriconi then outlined each of the recommendations with Council members commenting on the following items.

Item 4 – Council members asked for examples of the fees being referred to. Mr. Gordon responded that LINK-GIS fees would be an example and Mayor Wiest stated that the committee discussed enhancing fees through the partnership.

Item 8 – Council asked if there was available space in the building. Mr. Gordon indicated that all space is being used but that the Commission will look at whether there is a better way to use the space. There was discussion regarding having a realtor assess the space and taking business away from other rental properties. Mayor Jansing indicated that the Council’s first priority is making sure NKAPC’s needs are met and reminded members that fees have been frozen for four years.

Item 10 – Mayor Meier asked how much influence the Council has over the Code Enforcement Board. Mr. Edmondson indicated that the Council could only make the suggestion and stated that the committee also talked about setting a “court cost” that would accompany fines levied. Mayor Meier asked if there was some way to show how many fines were forgiven and what staff costs were. He gave an example of $20,000 fines on a property in Crestview Hills and stated that the Board ruled that they would forgive the fines if the house was demolished—which it was.

Item 11 – Commissioner Draud indicated that the Fiscal Court was very interested in this issue. He stated that they would like to know when a decision would be made so they would know how they were going to proceed. Mr. Gordon stated that the current contract would expire June 30, 2012 and that the new contract(s) would be in place by July 1st. There was discussion regarding the RFP versus RFQ process. Mr. Gordon indicated that an RFP generally looks for the lowest and best proposal and the RFQ looks at qualifications. President Moriconi stated that he was for free market but safety should not be compromised. Commissioner Draud thought this was a good approach and asked if the requirements of the RFQ would be the same as Kentucky’s qualifications.
Mayor Jansing asked Commissioner Draud what he meant when he said that the Fiscal Court would have to decide what they were going to do. Judge-Executive Arlinghaus indicated that the Fiscal Court might opt out and that they are open to a free market process. He stated that if the inspectors are state approved then they are qualified and shouldn’t have to jump through hoops for NKAPC.

Mr. Gordon responded that candidates don’t have to jump through hoops for NKAPC but that the RFQ would assure that all contractors would be on board with record-keeping requirements, etc. Judge-Executive Arlinghaus spoke about allegations of favoritism and stated that he didn’t think that electrical inspectors would run the risk of losing their license any more than he would as a realtor. Commissioner Draud stated that he was glad to hear that it would be a free market process and Judge-Executive Arlinghaus indicated that he was pleased with the email that Mr. Gordon sent out yesterday [Friday, March 16, 2012].

Based on the conversation, Mayor Wiest suggested that item 11 be changed to read that an RFQ would be pursued. President Moriconi asked staff to make the change as indicated.

Item 14 - Mayor Meier questioned this item asking if the audit would be of the Council or just the Commission. Mayor Wiest stated that the committee wanted to make sure that it was clear that the audit process was Council driven. There was discussion regarding what the audit would cover – Council, Commission and staff. Mayor Nienaber stated that it should start with the Council then move through the Commission and staff. He indicated that an audit may find that the Council needs to be more active to carry out its responsibilities.

The discussion turned to what the audit would look at. Mayors Wiest and Nienaber stated that efficiency, workload and staff were issues that they felt needed to be checked. Commissioner Carran stated that a financial audit is totally different from staff efficiency. Mayor Scheper indicated that he supports and endorses an efficiency audit and that it will pay in dividends.

There was a lengthy discussion regarding the State Auditor’s Office and what type of audit it would conduct. Mr. Edmondson indicated that it isn’t typical for the State Auditor to do an efficiency study. Mayor Wiest stated that the State Auditor could participate in the RFP process and be considered with other vendors. Mr. Edmondson indicated that he believed the State Auditor would contract this type of audit out. Mayor Nienaber stressed the need to make it clear that this is an independent review, not about financial control and that NKAPC is working efficiently based on today’s standards/needs not based on 50 years ago.

Commissioner Carran advised members that the NKAPCommission and Mr. Gordon talked about an efficiency audit last fall but was worried about the timing and expense. Commissioner Draud stated that he believed an audit was a good thing and that Senator Thayer’s bill wouldn’t pass the House. President Moriconi stated that, after all the time and money is spent, all sides will have to accept the findings. Mayor Nienaber indicated that the stakeholders are the residents of Kenton County, that the audit needs to be done by someone “who has no skin in the game”, and that the findings are the findings.
Based on the conversation, Mayor Meier asked that “NKAPC,” be added at the end of the first line. There was additional discussion regarding the State bidding on the RFP and Mayor Wiest suggested contacting the State Auditor’s Office to see what they can do. Mr. Gordon indicated that he would contact the Auditor and would advise members of his response via email.

Item 15 – Mayor Nienaber advised that this item is based on the GIS function and stated that the committee agreed that GIS is expansive and important. He stated that there were concerns regarding the partnership structure and with the fact that the managing partner can be voted out of existence. He indicated that the ownership needs to be looked at and there needs to be clarity on what happens if NKAPC goes away.

Mayor Wiest stated that they don’t want control to go to SD1 or NKWD and Mayor Nienaber stressed the need to safeguard this asset so it doesn’t fall back to minor funding partners. He went on to say that this probably wasn’t realized when the partnership was established.

Mayor Meier indicated that this was not what he read in item 15. Mayor Nienaber stated that it translates into streamlining and continuity. Mayor Bell indicated that items 5 and 6 along with item 15 are GIS-specific issues that affect the whole budget and that a timeline needs to be established. President Moriconi and Mr. Edmondson both pointed out that item 16 requires quarterly updates.

President Moriconi asked if there were any other questions or comments. With none, he asked if there was a motion with regard to the Financial Review Committee’s final recommendations. Mayor Wiest made a motion to approve the Financial Review Committee’s recommendations with the changes noted and to send them on to the NKAPCommission for consideration and implementation; Mayor Martin seconded the motion. President Moriconi asked for a voice vote on the motion which found unanimous approval. The motion passed.

**NEW BUSINESS**

President Moriconi indicated that the first item of new business was to elect planning council officers for 2012 and to select four members to the area planning commission.

President Moriconi indicated that, in accordance with the bylaws, a nominating committee met in February and again earlier this month to consider candidates interested in serving as council officers for 2012 and as members of the area planning commission. He stated that the committee consisted of Mayor Chris Wiest, Deputy Judge-Executive Mark Kreimborg, Mayor Joe Nienaber, Mayor John Link, and Mayor Dan Bell.

President Moriconi asked Mayor Wiest to present the slate of candidates:

Mayor Wiest indicated that there were two candidates for Council President, Vice President and Secretary, and read the slate of candidates as follows:

**President**  Mayor Dave Jansing, Lakeside Park
He then stated that the nomination committee had asked Mr. Gordon to solicit elected officials for possible candidates for the open Commission seats. He indicated that, upon the advice of Garry Edmondson, the committee slated the candidates for each seat. He said that there was some discomfort among the committee members with this process because it had not been done in the past. He also stated that he had received calls from several people saying that it wasn’t appropriate. Mayor Wiest then advised members that he had asked his city attorney for his legal opinion and that the attorney indicated that it [slating] didn’t have to be done. Mayor Wiest also indicated that the attorney had spoken to several other city attorneys who were of the same opinion.

Mayor Wiest went on to say that the Council needed to decide how they wanted to proceed with the vote and recommended voting for candidates “at large”. Commissioner Draud stated that this issue should have been resolved prior to the meeting and Mayor Wiest indicated that he felt the group should decide. Commissioner Carran agreed that slating might have been uncomfortable but that the issue should have been brought up sooner. Commissioner Draud then stated that he would like to hear from Mr. Edmondson.

Mr. Edmondson indicated that he has been legal counsel for Area Planning for about 30 years and has always advised slating the candidates but his advice had been ignored. He referred to KRS 147.630 (2) which states:

(2) Of the initial membership five (5) members shall be elected for a term of two (2) years, and four (4) members for a term of one (1) year each, and upon the expiration of their respective terms the successors of each shall be elected for a term of two (2) years. [emphasis added]

Mr. Edmondson stated that it is his opinion that each “successor” should be slated for each “respective” term.

Mayor Nienaber indicated that he was unable to attend the last meeting of the nomination committee and that the process was changed at that meeting by a vote of 2 to 1. He stated that he was in agreement with Mayor Wiest and questioned why all of a sudden they were worried about a lawsuit – doing it right for 50 years.

Mayor Wiest made a motion that the candidates be slated “at large”. Commissioner Carran seconded the motion. After a brief discussion, President Moriconi asked for a voice vote which found unanimous approval. The motion passed.

President Moriconi asked Mayor Wiest to review the committee’s slate of candidates for council officers for 2012.
Mayor Wiest outlined the slate candidates for council officers:

President  
Mayor Dave Jansing, Lakeside Park  
Mayor Joe Nienaber, Fort Wright

Vice-President  
Councilman Tom Vergamini, Crescent Springs  
Mayor Chris Wiest, Fort Mitchell

Secretary  
Mayor John Link, Edgewood  
Councilwoman Elizabeth Fricke, Kenton Vale

President Moriconi asked if there were any nominations from the floor for officers of the planning council. With no officer nominations from the floor, Mayor Rouse made a motion to close nominations; Mayor Martin seconded the motion. A voice vote found unanimous approval. The motion passed.

President Moriconi then asked if there was a motion with regard to the slate of candidates for council officers for 2012. Mayor Meier made a motion to accept the slate of candidates as presented; Mayor Rouse seconded the motion. A voice vote found unanimous approval. The motion passed.

President Moriconi indicated that each candidate would be given two minutes to address members of the Council.

Mayor Jansing, Mayor Nienaber, Councilman Vergamini, Mayor Wiest, and Mayor Link each made a brief statement to the Council. Commissioner Carran stated that Councilwoman Fricke was in class at NKU, apologized for her absence, and made a brief statement on her behalf.

President Moriconi indicated that members had been provided with a ballot. He asked that, once they had cast their vote, they fold the ballot and hold it up for staff to collect. President Moriconi advised members that Judge Ken Easterling of the Kenton District Court would be counting the ballots with the help of Garry Edmondson.

Once the ballots for council officers were collected, President Moriconi asked Mayor Wiest to present the committee’s slate of candidates for the four seats on the area planning commission.

Mayor Wiest outlined the “at large” candidates as follows:

Mayor Paul Meier, Crestview Hills  
Commissioner Ed Kuehne, Taylor Mill  
Councilman Steve Jaeger, Edgewood  
Councilman Adam Feinauer, Fort Wright  
Tom Litzler, former mayor of Fort Wright  
Phil Ryan, former Park Hills Councilman  
Councilwoman Nancy Atkinson, Edgewood
President Moriconi asked if there were any nominations from the floor for the four seats on the area planning commission. With no nominations from the floor, President Moriconi asked if there was a motion with regard to the slate commission candidates. Mayor Jansing made a motion to accept the slate as presented; Mayor Rouse seconded the motion. A voice vote found unanimous approval. The motion passed.

Again, President Moriconi indicated that each candidate would be given two minutes to address members of the Council.

At this time, President Moriconi advised members that the vote for council President had resulted in a 9 to 9 tie, with Councilman Vergamini winning Vice-President, and Mayor Link winning Secretary. He stated that they would proceed with the commission vote and then go to a tie-breaker for council President.

Mayor Meier, Tom Litzler, Phillip Ryan, Councilwoman Atkinson, Bill Goetz, and Tom Kriege each made a brief statement to the Council. Mayor Bell made a brief statement on behalf of Commissioner Kuehne. Mayor Nienaber made a statement on behalf of Councilman Feinauer and Mayor Link spoke on behalf of Councilman Jaeger.

Mayor Catchen stated that he believed members should be aware that two of the candidates running for the commission had signed the petition to dissolve NKAPC – Steve Jaeger and Phil Ryan. He indicated that he had copies of these signatures if anyone would like to see them.

President Moriconi indicated that members had been provided with a ballot. Mayor Meier clarified that each member should vote for up to four candidates. Once again President Moriconi asked that they fold the ballot and hold it up for staff to collect once they had cast their vote.

President Moriconi then asked that the tie-breaker ballots for Council President be distributed. Once members had cast their votes, the ballots were collected for tallying.

While waiting for the ballots to be counted, President Moriconi opened discussion on the 2012 meeting schedule. He reminded members why the Council was meeting monthly and recommended that the Council consider a quarterly meeting schedule. After a brief discussion, Mayor Catchen made a motion that the Council meet on a quarterly basis; Mayor Radford seconded the motion.

Mayor Nienaber indicated that he believes that the Council should meet on alternating months and that quarterly is not enough. He also stated that the Council should meet independent of the Mayors Group and that it needs to be a more active council.

There was discussion regarding monthly, bi-monthly or quarterly meetings. Mayor Nienaber stated that he didn’t think Council business should not be discussed at the Mayors Group meetings but he didn’t think it would be an issue to discuss that Mayors Group
business at Council meetings. His reasoning was that the Council is governed by statute and the Mayors Group is not.

Mayor Radford withdrew his second of the motion on the floor and Mayor Catchen withdrew his motion.

Mayor Wiest then made a motion that the Council meetings be set every other month on the third Saturday at 9:00 AM. Mr. Gordon stated that, due to the budget, the Council would need to meet in June and suggested that the Council meet during the even months. Mayor Wiest restated his motion to set Council meeting schedule for every other month beginning in April 2012 for 9:00 AM on the third Saturday; Mayor Martin seconded the motion. A voice vote found unanimous approval. The motion passed.

There was a brief discussion regarding sponsorship of Council meetings versus the Mayors Group meeting.

President Moriconi then announced that Mayor Jansing had been elected Council President for 2012 and that the four area planning commission members elected were Mayor Meier, Tom Litzler, Councilwoman Atkinson, and Bill Goetz.

President Moriconi then asked for ratification of the election of Council officers and Commission members. Mayor Rouse made the motion to ratify the election results; Mayor Link seconded the motion. President Moriconi asked if there were any questions. There being none, he asked for a voice vote which passed unanimously.

President Moriconi congratulated the newly-elected Council officers and Commission members. He also thanked those who have served and those who had run for office and encouraged them to stay involved.

President Moriconi asked if there were any additional comments. There being none, he reminded members that the next meeting scheduled for 9:00 AM on Saturday, April 21, 2012, in the Commission Chambers at NKAPC.

With no further business, Mayor Wiest made a motion to adjourn; Mayor Martin seconded the motion. A voice vote found unanimous approval and the meeting was adjourned at 11:32 AM.

_________________________________________
Dave Jansing, President
Northern Kentucky Area Planning Council

_________________________________________
John Link, Secretary
Northern Kentucky Area Planning Council