Northern Kentucky Area Planning Commission  
Meeting Minutes: May 16, 2011

Chairman Bill Goetz called the annual organizational/business meeting of the Northern Kentucky Area Planning Commission to order at 5:15 PM in the Commission Chambers of the NKAPC Building in Fort Mitchell. Attendance of members was as follows.

<table>
<thead>
<tr>
<th>Term</th>
<th>Present</th>
<th>Absent</th>
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<tbody>
<tr>
<td>Chairman Bill Goetz</td>
<td>May 2010 through April 2012</td>
<td>X</td>
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<td>Vice Chairman Tom Kriege</td>
<td>May 2010 through April 2012</td>
<td>X</td>
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<td>Treasurer Tom Litzler</td>
<td>May 2010 through April 2012</td>
<td>X</td>
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<tr>
<td>Commissioner Sherry Carran</td>
<td>May 2009 through April 2011</td>
<td>X</td>
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<tr>
<td>Commissioner Paul Meier</td>
<td>May 2010 through April 2012</td>
<td>X</td>
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<tr>
<td>Commissioner Dick Spoor</td>
<td>May 2009 through April 2011</td>
<td>X</td>
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<tr>
<td>Commissioner Gene Weaver</td>
<td>May 2009 through April 2011</td>
<td>X</td>
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Also present were: Garry Edmondson, Legal Counsel; Jan Crabb, PHR, Finance/HR Administrator; Dennis Andrew Gordon, FAICP, Executive Director; and Lori Remley, Administrative Assistant.

Chairman Goetz asked for a moment of silent prayer and led the Pledge of Allegiance. He also asked that the record reflect that the Oath of Office was administered by Ms. Remley to Commissioners Sherry Carran and Gene Weaver prior to the start of the meeting and that she had administered the Oath of Office to Commissioner Dick Spoor on Friday, May 6, 2011, since he was unable to attend today’s meeting.

**ELECTION OF OFFICERS**

Chairman Goetz asked for nominations for Chairman. Commissioner Meier nominated Bill Goetz for Chairman; Commissioner Weaver seconded the nomination. Chairman Goetz asked if there were any other nominations. There were none.

Chairman Goetz asked for nominations for Vice-Chairman. Commissioner Weaver nominated Tom Kriege for Vice Chairman; Commissioner Litzler seconded the nomination. Chairman Goetz asked if there were any other nominations. There were none.

Chairman Goetz asked for nominations for Treasurer. Commissioner Weaver nominated Tom Litzler for Treasurer; Commissioner Meier seconded the nomination. Chairman Goetz asked if there were any other nominations. There were none.
Chairman Goetz again asked if there were any other nominations. There being none, he asked for a motion. Commissioner Litzler made a motion to close nominations for Chairman, Vice-Chairman, and Treasurer; Commissioner Carran seconded the motion. A voice vote found unanimous approval. The motion passed.

Chairman Goetz then asked for a motion on the slate of officers. Commissioner Weaver made a motion to accept the slate of officers by acclamation; Commissioner Carran seconded the motion. Chairman Goetz asked for a role call vote on the motion which found Commissioners Weaver, Carran, Kriege, Litzler, Meier, and Chairman Goetz in favor of the motion. The motion passed unanimously. Mr. Edmondson then administered the Oath of Office to Chairman Goetz, Vice Chairman Kriege, and Treasurer Litzler.

Pursuant to provisions included in the NKAPC Bylaws, “the Secretary position shall be filled by the executive director who shall see to the accurate preparation and completion of minutes and records for each meeting of the Commission.”

**ACCEPTANCE OF AGENDA**

Chairman Goetz asked for review of the agenda. Commissioner Kriege made a motion to accept the agenda as presented; Commissioner Litzler seconded the motion. Chairman Goetz asked for a voice vote on the motion which found unanimous approval. The motion passed.

**ONGOING BUSINESS**

Chairman Goetz called for comments from the public and noted that there were no members of the public present.

Chairman Goetz asked for review of the final draft of the FY12 annual work program and budget. Mr. Gordon stated that the final drafts before members included everything that had been previously discussed and that no additional changes had been made. After some discussion, Chairman Goetz asked for a motion regarding the FY12 annual work program and budget. Commissioner Kriege made a motion to approve the annual work program and budget as presented; Commissioner Carran seconded the motion. Chairman Goetz asked for a role call vote on the motion which found Commissioners Kriege, Litzler, Meier, Weaver, and Chairman Goetz in favor of the motion. The motion passed unanimously.

Chairman Goetz asked if the Minutes of the April 18, 2011 business meeting were acceptable or if anyone had any additions/corrections. Commissioner Carran made a motion to accept the April 18 minutes as presented; Commissioner Weaver seconded the motion. Chairman Goetz asked for a role call vote on the motion which found Commissioners Carran, Kriege, Litzler, Meier, and Weaver in favor of the motion with Chairman Goetz present but not voting. The motion passed unanimously.

Chairman Goetz asked if the Minutes of the April 25, 2011 special meeting were acceptable or if anyone had any additions/corrections. Commissioner Meier made a motion to accept the April 25 minutes as presented; Commissioner Kriege seconded the motion. Chairman Goetz asked for a roll call vote on the motion which found Commissioners Carran, Kriege, Meier, and
Chairman Goetz in favor of the motion with Commissioners Litzler and Weaver present but not voting. The motion passed unanimously.

Ms. Crabb gave an overview of the April financial report and Mr. Gordon reviewed the most recent fee-based revenue report. After a brief discussion, Chairman Goetz asked for a motion. Commissioner Carran made a motion to accept the April reports as presented subject to audit; Commissioner Meier seconded the motion. Chairman Goetz asked for a roll call vote on the motion which found Commissioners Carran, Kriege, Litzler, Meier, Weaver, and Chairman Goetz in favor of the motion. The motion passed unanimously.

Chairman Goetz asked for a report from legal counsel. Mr. Edmondson outlined the property tax refund claim received from attorney Rick Brueggemann. He stated that Mr. Brueggemann is requesting a refund of ad valorem taxes on real property which he and his clients believe were unlawfully levied and collected by NKAPC for the 2009 and 2010 tax years. Mr. Edmondson indicated that the statute (KRS 134.590) referenced in the claim did not provide for a class action and that this claim has not been filed with the court. Mr. Edmondson suggested that members authorize him to write a letter denying Mr. Brueggemann’s request on the basis that the ad valorem tax is not unconstitutional.

After a brief discussion, Chairman Goetz asked for a motion. Commissioner Kriege made a motion authorizing legal counsel to write a letter to denying the refund claim on the basis that the ad valorem tax is not unconstitutional; Commissioner Weaver seconded the motion. Chairman Goetz asked for a roll call vote on the motion which found Commissioners Kriege, Weaver, Carran, Litzler, Meier, and Chairman Goetz in favor of the motion. The motion passed unanimously.

Chairman Goetz asked the executive director for his report. Mr. Gordon updated members on the development of bar charts to dispute the claims of NKAPC’s opponents. He indicated that he and Chairman Goetz are working with Kevin Costello, Jeff Earlywine, and Rick Lunnemann to gather information on Boone County’s actual costs of providing the same services NKAPC provides in Kenton County. He indicated that they will have these figures by Saturday’s Mayors’ Group meeting.

Mr. Gordon then reminded members of several “flow through” items that artificially inflate the budget and indicated that these items total approximately $500,000.

Chairman Goetz asked for reports from committees or members. There were none.

**NEW BUSINESS**

Chairman Goetz asked for a review of the proposed meeting schedule for the 2011-12 program year. It was noted that a correction needed to be made to the third item – Wed 30 Jun 11 should be Thu 30 Jun 11.

After a brief review, Chairman Goetz asked for a motion. Commissioner Kriege made a motion to approve the 2011-12 meeting schedule as amended; Commissioner Carran seconded the motion. Chairman Goetz asked for a roll call vote on the motion which found Commissioners
Kriege, Carran, Litzler, Meier, Weaver, and Chairman Goetz in favor of the motion. The motion passed unanimously.

At approximately 5:44 PM, Chairman Goetz asked for a motion to recess for a review of the recommended FY12 budget with members of the NKAPCouncil’s budget review committee. Commissioner Kriege made a motion to recess; Commissioner Weaver seconded the motion. A voice vote found unanimous approval. The motion passed.

At 6:30 PM, the annual organizational / monthly business meeting was reconvened.

Chairman Goetz asked if there were any other comments or business to come before the Commission.

With no comments, Chairman Goetz adjourned the meeting 6:31 PM.

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Bill Goetz, Chairman

Dennis Andrew Gordon, FAICP
Executive Director/Secretary