Northern Kentucky Area Planning Commission  
Meeting Minutes: September 19, 2011

Chairman Bill Goetz called the monthly business meeting of the Northern Kentucky Area Planning Commission to order at 5:17 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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<td>Commissioner Sherry Carran</td>
<td>May 2009 through April 2013</td>
<td>X</td>
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<td>Commissioner Paul Meier</td>
<td>May 2010 through April 2012</td>
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<td>Commissioner Dick Spoor</td>
<td>May 2009 through April 2013</td>
<td>X</td>
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<td>Commissioner Gene Weaver</td>
<td>May 2009 through April 2013</td>
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Also present were: Larry Humpert, AIA, PCA Architecture; Garry Edmondson, Legal Counsel; 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.

**ACCEPTANCE OF AGENDA**

Chairman Goetz asked for review of the agenda. Commissioner Meier made a motion to accept the agenda as presented; Commissioner Carran 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 if the Minutes of the August 31, 2011 special business meeting were acceptable or if anyone had any additions/corrections. Commissioner Meier made a motion to accept them as presented; Commissioner Carran seconded the motion. Chairman Goetz asked for a roll call vote on the motion which found Commissioners Carran, Meier, Spoor, and Chairman Goetz in favor of the motion with Commissioner Litzler present but not voting. The motion passed unanimously.
Mr. Gordon gave an overview of the August financial report and reviewed the most recent fee-based revenue report for FY12. He noted that amendments had been made as a result of the tax levy being reduced to three cents per $100. After a brief discussion, Chairman Goetz asked that this matter be put on the agenda for the next meeting in order to give members time to review the reports.

Chairman Goetz asked for a review of recommendation from Larry Humpert, AIA, regarding bids in response to the recent RFP for a new building roof.

Mr. Humpert advised members that three bids had been received and that he was recommending Truitt Roofing for replacement of the roof. He outlined the differences between the bids and the various alternatives considered. Mr. Humpert then recommended members authorize the selection of Truitt Roofing and signing of the contract which has been reviewed by Garry Edmondson.

After some discussion, Chairman Goetz asked if there was a motion to accept the lowest and best bid and authorize the chairman or executive director to sign the contract with Truitt Roofing. Commissioner Spoor made a motion to accept the bid and authorize signature on the contract with Truitt; Commissioner Litzler seconded the motion. Chairman Goetz asked for a roll call vote on the motion which found Commissioners Carran, Litzler, Meier, Spoor, and Chairman Goetz in favor of the motion. The motion passed unanimously.

Chairman Goetz asked for a report from legal counsel. Mr. Edmondson provided members with a copy of Judge Bartlett’s Order on the request for injunctive relief by the HBA and tea party. He stated that his discussion would need to wait until members went into executive session.

Chairman Goetz took the opportunity to acknowledge both Mr. Edmondson and Mr. Gordon for their work and handling of the recent HBA/tea party challenge.

Chairman Goetz then asked the executive director for his report. Mr. Gordon updated members on the September Mayors’ Group Meeting that took place on Saturday and outlined some of the comments made. He indicated that Tom East and Trisha Brush gave a presentation on GIS and hit the ball out of the park. He stated that the PowerPoint presentation of that information with a voice over would be put on the website. Mr. Gordon advised that the presentation addressed many of the recent issues/concerns and was well received with Mr. East and Mrs. Brush receiving a round of applause at the end.

Mr. Gordon stated that the Northern Kentucky Chamber of Commerce had been preparing to release its findings and recommendation regarding the recent HBA/tea party challenge prior to Judge Bartlett’s ruling. However, he indicated that the Chamber would not be releasing a statement now. A brief discussion followed.

Mr. Gordon advised members that the new nkapc.org website was up and running and that staff is working out a final few little bugs.

Mr. Gordon updated members on the progress being made by the Council’s Financial Review Committee. He indicated that the Committee has questioned how blended rates are calculated and suggested that overhead ($10.50 per hour) should include a portion of administrative costs.
He stated that GIS keeps coming up during committee meetings and discussed Mayor Dan Bell’s suggestion on separating the GIS budget from NKAPC’s. Mr. Gordon indicated that he has spoken to the auditors regarding the possibility of splitting the budget. They indicated that it would mean more work for the bookkeeper but that it may be worth further consideration.

Mr. Gordon asked members if they would like to receive update reports from the deputy directors. He reminded members that these updates were scheduled to be given at the June meeting but had been cancelled due to other issues needing to be discussed. After some discussion, members indicated that they would like to break the updates down and only hear one or two at a time. Mr. Gordon asked members to let him know if there were specific items that they wanted to hear about. Commissioner Carran asked for more information regarding interaction of the different departments.

Mr. Gordon advised that 27 people had RSVP’d for the board of adjustment training held on Saturday. There were four no shows; 17 from Kenton County; one from Cold Spring; two from Newport; and three from Alexandria. He indicated that those people from outside of Kenton County, with the exception of Cold Spring, had been billed $25 per person to attend.

Mr. Gordon stated that the long-range planning staff and Strategic Advisers are working together to promote citizen involvement in the upcoming comprehensive plan effort. He indicated that activities would resume where they left off in the spring.

Commissioner Spoor asked about Strategic Advisers involvement in the process. Mr. Gordon stated that the cost for this work would be approximately $3,000 over six months. There was a discussion regarding the services being provided. Commissioner Spoor then made a motion to approve the proposed contract and authorize the executive director to sign it; Commissioner Meier seconded the motion. Chairman Goetz asked for a roll call vote on the motion which found Commissioners Carran, Litzler, Meier, Spoor, and Chairman Goetz in favor of the motion. The motion passed unanimously.

Mr. Gordon then indicated that there had recently be some discussion of amending the bylaws to allow the executive committee to take action on behalf of the Commission if time does not allow the full Commission to meet. There was a brief discussion regarding the provisions in KRS, the definition of an emergency, and limiting the amount of money that the executive committee could approve as expenditures. Members asked Mr. Gordon to work with Mr. Edmondson on the proposed language and to present it to them for consideration at the next meeting.

Mr. Gordon stated that his last item was a copy of the GIS financial report that was handed out at the Mayors’ Group meeting on Saturday. He briefly reviewed the revenue, expenditures, and the returns on investment for FY11 and FY12 to date.

Chairman Goetz asked for reports from committees or members. Commissioner Meier updated members on the Comprehensive Plan Task Force meeting that took place on Wednesday and stated that there would be a public forum at 5:30 PM on October 26 at Dixie Heights High School. He indicated that additional meetings would be held on November 17 (Kenton County Ag Extension), November 29 (Latonia Calvary Baptist Church) and December 6 (Piner Elementary).
Commissioner Litzler provided information regarding the upcoming Northern Kentucky Forum being held on October 11 at the Carnegie Center in Covington. The topic of the Forum will be different types of government structure.

NEW BUSINESS

Chairman Goetz then opened the discussion regarding the process to be used to review the executive director’s FY11 performance. He suggested that the review be handled as it was last year with the discussion being held at the next Commission meeting.

With the other members being in agreement, Chairman Goetz asked if there was a motion to go into executive session to discuss litigation in accordance with KRS 61.810(1)(c).

At 6:24 PM, Commissioner Spoor made a motion that members go into executive session to discuss litigation pursuant to KRS 61.810(1)(c); Commission Litzler seconded the motion. Chairman Goetz asked for a voice vote which found unanimous approval. The motion passed.

At 7:00 PM, Commissioner Litzler made a motion to come out of executive session and noted that no action had been taken during the executive session; Commissioner Spoor seconded the motion. Chairman Goetz asked for a voice vote which found unanimous approval. The motion passed unanimously.

Based on discussion during the executive session, Commissioner Carran made a motion to approve retaining additional outside legal counsel as needed for issues of litigation with the Home Builders Association and Tea Party at a rate of $125 per hour and to authorize NKAPC’s legal counsel, chairman, and executive director to take all necessary steps to protect the interests of NKAPC; Commissioner Spoor seconded the motion. Chairman Goetz asked for a roll call vote on the motion which found Commissioners Carran, Litzler, Meier, Spoor, and Chairman Goetz in favor of the motion. The motion passed unanimously.

With no additional new business, Chairman Goetz adjourned the meeting at approximately 7:02 PM.

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Bill Goetz, Chairman

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Dennis Andrew Gordon, FAICP
Executive Director/Secretary