Northern Kentucky Area Planning Commission  
Meeting Minutes: October 22, 2012

Chairman Tom Litzler called the monthly 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 Tom Litzler</td>
<td>May 2012 through April 2014</td>
<td>X</td>
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<td>Vice Chairman Paul Meier</td>
<td>May 2012 through April 2014</td>
<td>X</td>
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<td>Treasurer Dick Spoor</td>
<td>May 2011 through April 2013</td>
<td>X</td>
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<td>Commissioner Nancy Atkinson</td>
<td>May 2012 through April 2014</td>
<td>X</td>
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<td>Commissioner Sherry Carran</td>
<td>May 2011 through April 2013</td>
<td>X</td>
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<td>Commissioner Bill Goetz</td>
<td>May 2012 through April 2014</td>
<td>X</td>
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<td>Commissioner Gene Weaver</td>
<td>May 2011 through April 2013</td>
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Also present were: Edgewood Mayor John Link, Secretary of NKAPCouncil; Crescent Springs Councilman Tom Vergamini, Vice-President of NKAPCouncil; Jan Crabb, PHR, Finance/HR Administrator; Trisha Brush, GISP, Director of LINK-GIS Administration; Scott Hiles, Director of Infrastructure Engineering; Martin Scribner, AICP, Director of Planning & Zoning; Brian Sims, CBO, Chief Building Official; John Lauber, Senior Building Official; Tim Tholemeier, Senior Building Official; Garry Edmondson, Legal Counsel; Dennis Andrew Gordon, FAICP, Executive Director; and Lori Remley, Administrative Assistant.

Chairman Litzler asked for a moment of silent prayer and led the Pledge of Allegiance.

**ACCEPTANCE OF AGENDA**

Chairman Litzler asked if there was a motion to accept the agenda. Commissioner Weaver made a motion to accept the agenda as presented; Commissioner Goetz seconded the motion. Chairman Litzler asked for a voice vote on the motion which found unanimous approval. The motion passed.

Chairman Litzler called for comments from the public and noted that there were none present.

**ONGOING BUSINESS**

Chairman Litzler asked if the Minutes of the September 24 monthly business meeting were acceptable or if anyone had any additions/corrections. Commissioner Goetz made a motion to accept the September 24 minutes as presented; Commissioner Atkinson seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Commissioners Atkinson,
Meier, Goetz, Weaver and Chairman Litzler in favor of the motion. The motion passed unanimously.

Chairman Litzler asked if the Minutes of the October 15 special meeting were acceptable or if anyone had any additions/corrections. Commissioner Meier indicated that there was a correction needed on page four – a comment attributed to him was actually made by Chairman Litzler. Commissioner Meier then made a motion to accept the October 15 minutes as corrected; Commissioner Weaver seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Commissioners Atkinson, Meier, Weaver and Chairman Litzler in favor of the motion with Commissioner Goetz present but not voting. The motion passed unanimously.

Ms. Crabb gave an overview of the September financial reports for NKAPC and LINK-GIS along with the fee-based revenue report through October 19. After a brief discussion regarding investments, Chairman Litzler asked for a motion. Commissioner Goetz made a motion to accept the September reports as presented subject to audit; Commissioner Meier seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Commissioners Atkinson, Goetz, Meier, Weaver, and Chairman Litzler in favor of the motion. The motion passed unanimously.

Chairman Litzler asked for legal counsel’s report. Mr. Edmondson advised members that the Court of Appeals has denied the HBA’s request for an expedited hearing schedule for its lawsuit against the county clerk. He indicated that the regular schedule for this case can now take 18-24 months.

Chairman Litzler asked the executive director for his report. Mr. Gordon pointed out two dates listed on the agenda – November 7th Direction 2030 Goals & Objective Workshop and November 12th Direction 2030 Capstone meeting - and advised members that Michael Dinn would be making a presentation during the Commission’s November meeting.

Mr. Gordon indicated that there are several code enforcement board issues being addressed by staff. First, the City of Ludlow is in the process of disbanding its Code Enforcement Board and joining the Kenton County Joint Code Enforcement Board. He indicated that there are legal issues and representation issues that need to be resolved. Mr. Gordon also stated that another issue that needs to be addressed is how liens are pursued and how the money collected is distributed. A brief discussion followed.

Mr. Gordon advised members that the Department of Housing in Frankfort has advised staff that there needs to be an interlocal agreement between the Fiscal Court and each of cities with regard to State jurisdiction of the Kentucky Building Code. He indicated that this could be incorporated with the NKAPC Council’s recommendation that all One Stop Shop contracts be reviewed and that any changes could be done at the same time. Mr. Edmondson indicated that he did not think Frankfort’s interpretation was correct and asked that the information be forward to the Fiscal Court with a copy to him for review.

Mr. Gordon indicated that the new phone system contract will be signed tomorrow and that the system could be in place by the next meeting. He stated that there have been several discussions with the land management software company, CRW, and that he is hoping to have the contract in place by the end of the week.
Mr. Gordon reminded members that the staff appreciation breakfast is being held on Tuesday, October 30th and asked them to let Ms. Remley know if they would be attending.

Chairman Litzler asked for the staff update report from Building Codes Administration. Mr. Sims indicated that two of his senior building officials, Tim Tholemeier and John Lauber, would provide the update.

Tim Tholemeier began the presentation by stating that the Kentucky Building Code is State law and not subject to changes on a local level. He outlined the codes used by the building officials for commercial and residential. He stated that their main job is to ensure public safety. Mr. Tholemeier outlined the difference between residential and commercial inspections and stated that staff accreditations are the highest level in Kentucky. He indicated that staff is customer oriented, assessable and knowledgeable in the field and that they work with their customers from plan review through completion of the project. He stated that they ask for no more or no less than what is required under the building code.

John Lauber outlined the different types of inspections done for residential, multi-family, and commercial construction projects along with other miscellaneous inspections performed. He showed examples of the different types of things they look for. (A copy of the PowerPoint presentation is attached to the original minutes). Chairman Litzler thanked Mr. Tholemeier and Mr. Lauber for their presentation.

Chairman Litzler then asked for reports from committees or members of the Commission. Commissioner Goetz stated that his committee’s meeting on investment policy had been rescheduled for November 19th at 5:15 PM with our PNC representative. Commissioner Atkinson advised that the personnel policy committee had met twice and that its recommendations would be presented later in the meeting. Commissioner Meier stated that the Direction 2030 committee had met last week to discuss goals and objectives. Chairman Litzler indicated that members had discussed the executive director’s evaluation but there wasn’t anything in writing to place in his file. He asked that members complete an evaluation report including their comments from the previous meeting and return it to him for inclusion in the executive director’s file. Chairman Litzler also advised members that TBNK would be covering election results live from the County Clerk’s office on election night on channel 15 on Insight and 815 on Bell.

NEW BUSINESS

Chairman Litzler opened discussion regarding the proposed interlocal agreement with the City of Covington to rejoin the One Stop Shop codes administration program. Mr. Gordon indicated that the agreement would be the same as the other interlocal agreements and recommended that members approve it subject to legal review since staff was scheduled to take over building inspections this Wednesday, October 24th. He also advised members that Covington would be able to link into the new TRAKiT land management software and that the information would be available to staff when the customers come in.
After a brief discussion, Chairman Litzler asked for a motion. Commissioner Goetz made a motion to authorize the chairman to sign the interlocal agreement with the City of Covington to rejoin the One Stop Shop codes administration program, subject to legal review; Commissioner Weaver seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Commissioners Atkinson, Goetz, Meier, Weaver, and Chairman Litzler in favor of the motion. The motion passed unanimously.

Commissioner Atkinson opened discussion regarding the proposed amendments to the NKAPC Personnel, Policies, and Procedures Manual. There was a brief discussion regarding “genetic information”. Commissioner Atkinson outlined the recommended changes and stated the committee was recommending a one-year trial period for the proposed PTO/sick time change.

Mr. Edmondson noted that Chapter 5, page 6 states that a cost of living “shall be given every year” and recommended that this language be changed to “may be given every year”. He also recommended that Chapter 5, page 21 include a ‘verbal reprimand’ as the first step of disciplinary action. There was discussion regarding the language to be added and Council Secretary John Link recommended that the employee should also have to acknowledge the verbal reprimand. There was discussion as to whether that is necessary.

There was also additional discussion regarding the language to be added. Chairman Litzler then asked for a motion. Commissioner Atkinson made a motion to accept and incorporate the proposed amendments to the NKAPC Personnel, Policies, and Procedures Manual Chapters 5, 6 and 7 as presented in the distributed draft, including the verbal reprimand inclusion; Commissioner Meier seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Commissioners Atkinson, Goetz, Meier, Weaver, and Chairman Litzler in favor of the motion. The motion passed unanimously.

Chairman Litzler asked for the review of the executive director’s claims for first quarter expenses reimbursements. Mr. Gordon stated that his expenses for July through September 2012 total $180.21.

After a brief discussion, Chairman Litzler then asked for a motion. Commissioner Meier made a motion to approve the executive director’s reimbursements for expenses from July through September 2012; Commissioner Goetz seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Commissioners Atkinson, Goetz, Meier, Weaver, and Chairman Litzler in favor of the motion. The motion passed unanimously.

DISCUSSION

Chairman Litzler opened discussion on the fiscal management recommendations given to the Commission by the NKAPCouncil. There was a lengthy discussion regarding Council’s recommendation #15.

“Investigate whatever options may exist to streamline and realign responsibilities of Kenton County’s planning framework and to guarantee a continuation of operations. If this investigation and subsequent legal review indicate that opportunities exist, conceptualize and develop a plan for realizing the goal and setting forth the benefits it could provide to the citizens and jurisdictions we serve.”
There was a lengthy discussion regarding the work under consideration to streamline the NKAPCouncil, NKAPCommission, and Kenton County Planning Commission. Members discussed the next steps to be taken and agreed that the executive director should meet with the executive committees of the NKAPCouncil and the Kenton County Planning Commission. Mr. Gordon indicated that he would work on scheduling the meeting and let members know when they had been set.

Chairman Litzler asked if there was any other business.

With no new business, Chairman Litzler reminded members of upcoming meetings as noted on the agenda and stated that the next meeting would be held at 5:15 on Monday, November 26.

With no other business to discuss, Commissioner Weaver made a motion to adjourn; Commissioner Meier seconded the motion. With no objections, Chairman Litzler adjourned the meeting at approximately 7:15 PM.

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Tom Litzler, Chairman

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Dennis Andrew Gordon, FAICP
Executive Director/Secretary