

**Northern Kentucky Area Planning Commission
Meeting Minutes: March 19, 2012**

Chairman Bill Goetz called the monthly business meeting of the Northern Kentucky Area Planning Commission to order at 5:16 PM in the Commission Chambers of the NKAPC Building in Fort Mitchell. Attendance of members was as follows.

	Term	Present	Absent
Chairman Bill Goetz	May 2010 through April 2012	X	
Vice Chairman Tom Kriege	May 2010 through April 2012	X	
Treasurer Tom Litzler	May 2010 through April 2012	X	
Commissioner Sherry Carran	May 2009 through April 2013	5:25	
Commissioner Paul Meier	May 2010 through April 2012	X	
Commissioner Dick Spoor	May 2009 through April 2013	5:20	
Commissioner Gene Weaver	May 2009 through April 2013	X	

Also present were: David Jansing, Mayor of Lakeside Park and President of the NKAP Council; Tom Vergamini, Councilman for Crescent Springs and Vice-President of the NKAP Council; Stacy Tapke, Legal Counsel; Trisha Brush, GISP, Deputy Director for GIS Administration; Jan Crabb, PHR, Finance/HR Administrator; Scott Hiles, Deputy Director for Infrastructure Engineering; Keith Logsdon, AICP, Deputy Director for Long-Range Planning; Martin Scribner, AICP, Deputy Director for Current Planning; Brian Sims, Deputy Director for Building Codes Administration; 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 Kriege made a motion to accept the agenda as presented; Commissioner Weaver seconded the motion. Chairman Goetz asked for a voice vote on the motion which found unanimous approval. The motion passed.

Chairman Goetz took the opportunity to thank Mayor Meier, Commissioner Carran, Mr. Gordon, and Mr. Sims for their time and effort with regard to activities over the weekend. Mr. Sims briefly explained what the confusion was with regard to Colleen Road which is off of Fiskburg Road.

Chairman Goetz also thanked staff and Mr. Gordon for the help they provided to tornado victims. Mr. Gordon acknowledged Trisha Brush and Christy Powell for creating and

delivering maps for emergency responders. He also acknowledged Brian Sims and the building inspectors for their response and assistance to the tornado victims.

Commissioner Litzler suggested that an emergency plan should probably be put in writing for use the next time. Mr. Gordon stated that Ms. Brush and her staff have done work on developing a written plan and that is why we were able to respond so quickly.

Commissioner Spoor joined the meeting.

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 February 29, 2012 monthly business meeting were acceptable or if anyone had any additions/corrections. Commissioner Weaver made a motion to accept the February 29th minutes as presented; Commissioner Meier seconded the motion. Chairman Goetz asked for a roll call vote on the motion which found Commissioners Litzler, Meier, Spoor, and Weaver in favor of the motion with Commissioner Kriege and Chairman Goetz present but not voting. The motion passed unanimously.

Commissioner Carran joined the meeting.

Ms. Crabb gave an overview of the February financial report and the most recent fee-based revenue report to date. After a brief discussion, Chairman Goetz asked for a motion. Commissioner Spoor made a motion to accept the February 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, Spoor, Weaver, and Chairman Goetz in favor of the motion. The motion passed unanimously.

Commissioner Litzler noted that NKAPC is 66% of the way through the year and at 85% of the projected revenue but only 58% of the projected expenditures.

Commissioner Meier asked if staff has been tracking time and expenses with regard to the work being done in Piner. Mr. Sims indicated that staff is entering time, mileage and tracking purchases for work done in Piner. He also advised that staff has been helping out in Pendleton County at the request of Judge Bertram and that they are keeping track of time/expenses for reimbursement.

Chairman Goetz asked for legal counsel's report. Ms. Tapke stated that she is working with Mr. Scribner, Larry Klein, and Alex Mattingly on a code enforcement board training session which is scheduled for Saturday, March 24th, from 9-11 AM.

Ms. Tapke advised members of a recent decision by the Kentucky Court of Appeals regarding a billboard case in Bellevue. She stated that the court found that there is a difference between educational fundraising and commercial revenue and that essentially the school would be selling its exemption status to the highest bidder. She went on to say that the schools' exempt status is

not transferrable. Ms. Tapke stated that the decision can be appealed to the Supreme Court and that she will let them know if an appeal is filed.

Chairman Goetz then asked for the executive director's report. Mr. Gordon indicated that the roof project is complete. He stated that the work has been certified, the vendor has been paid in full, and that Brian Sims has before/after photos to show them later.

Mr. Gordon indicated that he had provided members with a spreadsheet which outlines the status of the recommendations from the auditor. He asked members to review this spreadsheet and let him know if they had any suggestions or comments because he would be using the same format for the Council recommendations. Commissioner Meier questioned the priority of the items listed. Mr. Gordon stated that the FY12 items will be completed by the end of the fiscal year and that the FY13 items are items that will take a little longer, i.e. the fixed asset inventory which should be complete by the end of the new fiscal year. There was a brief discussion regarding what inventory system to use.

Mr. Gordon advised members that he, along with Sharmili Reddy, Keith Logsdon, and Michael Dinn, the marketing specialist, would be meeting with the HBA at 10:00 AM this Wednesday to discuss their approach to the plan and to get the HBA's input.

Mr. Gordon indicated that, as discussed earlier in the meeting, staff continues to work on issues regarding the tornado and stated that Mr. Sims would be providing an update during his presentation.

Mr. Gordon updated members on the status of the City of Ludlow becoming a member of the One Stop Shop program. He stated that staff is now fully engaged and rode with the city's Code Enforcement Officer last Wednesday to help get him online. He stated that Brian Richmond has indicated that the city's Board of Adjustment hasn't met for approximately two years. Mr. Richmond will be contacting the members and making the decision whether or not to dismantle the boards and go with the County board.

Chairman Goetz asked for the report from Building Codes Administration. Mr. Sims showed members photographs of the roof project and stated that a guardrail, walk pads, and additional drainage were added. Chairman Goetz asked what the life expectancy of the new roof was and Mr. Sims responded that there is a 25 year warranty with Firestone. Mr. Sims indicated that Firestone requires two inspections per year under the warranty and that the contractor, as a condition of the installation contract, will perform the first two years of maintenance.

Mr. Sims advised members that staff have been working hard with Kenton County Emergency Management since the tornado hit on Friday, March 2. He indicated that staff was on site Friday evening but that nothing could be done until the downed power lines had been addressed. He stated that there were seven inspectors there on Saturday morning and that they were teamed with a fire official and escorted by a Kenton County police officer. Mr. Sims also advised members that he and his staff received help from Rob Zwick, Mike Carpenter, and inspectors from Boone County and the City of Independence. He indicated that the first round of inspections was done quickly and that they went back to sign post buildings later in the week.

Mr. Sims stated that there was some confusion regarding the placards/red tags and that this is what led to the call Commissioner Carran received over the weekend. He indicated that Commissioner Carran provided his phone number to the reporter but that he never received a call.

Mr. Sims then showed photographs taken of the devastation caused by the tornado and stated that Carlisle Road was the hardest hit area. He stated that the initial assessment found 88 structures, excluding barns, were a total loss with 294 others affected on various levels - 170 of which sustained major damage.

Mr. Sims advised members that FEMA does not provide support to farmers or small businesses and that this help has to come from the Department of Agriculture. He also stated that Kenton County has passed an emergency resolution and that the HBA is working to stop "storm chasers" from coming in and taking advantage of those devastated by the tornado. He indicated that the Fiscal Court, HBA, and NKAPC were working together on making sure contractors register with the HBA before obtaining permits or working in the area.

Commissioner Litzler noted that, due to the tornado and people being displaced, food stamps can be used to purchase hot food in 15 counties through the end of March.

There was discussion regarding FEMA and the coordination of effort. Mr. Sims indicated that both FEMA and local Emergency Management have the contact numbers for NKAPC staff. Mr. Gordon stated that there was a meeting at 2:00 PM this past Saturday at the Extension Office. He indicated that FEMA, the Small Business Administration, the County where there and that 15-18 property owners attended. He stated that another meeting was scheduled to take place on Thursday evening from 7-9 PM. Commissioner Carran indicated that the building inspectors had done an amazing job and coordinated their efforts. Mr. Sims stated that this has been an educational experience and that he now carries an emergency packet in his truck.

Mr. Gordon asked Mr. Scribner to update members regarding the zoning issue that has arisen as a result of the tornado. Mr. Scribner indicated that the issue of non-conforming structures, i.e. structures too close to the road, has come up and in an effort to streamline the red tape for the victims, staff is creating a list of these properties for the Kenton County Board of Adjustment to review. The board will be meeting on Wednesday, March 28th, to review the list of non-conforming structures destroyed by the tornado. He indicated that the board will decide whether to take action or not. If no action is taken, the non-conforming status will stand. Mr. Scribner estimated that there maybe 25 structures with non-conforming status.

Chairman Goetz asked if there were any reports or comments from committees or members.

Commissioner Meier stated that there would be a Direction 2030 meeting on Wednesday.

Commissioner Litzler asked Mr. Gordon to check to see if there would be any benefit/discount to paying the Web Focus payment quarterly rather than yearly.

Chairman Goetz thanked Commissioner Carran, Mayor Meier, and Mr. Gordon for their work and for representing the Council/Commission so well in Frankfort.

NEW BUSINESS

Chairman Goetz congratulated Mayor Jansing, Councilman Vergamini, and Mayor Link. Mayor Jansing thanked the Commission and stated that at least one member of the Council Executive Committee will be attending the Commission meetings on a regular basis.

Chairman Goetz thanked Tom Kriege for his service on the Commission and stated that he would be missed. Commissioner Kriege indicated that he would miss serving on the Commission but that Ms. Atkinson will be a good addition.

Chairman Goetz opened discussion regarding the letter to the State Auditor. Commissioner Meier stated that the Mayors' Group will be sending a letter to the State Auditor in response to Senator Thayer's request for an audit of NKAPC. A brief discussion followed.

Mr. Gordon advised members that he had spoken to Brian Lykins at the Auditor's Office and asked the following questions:

1. Does the State Auditor submit proposals in response to RFPs?
2. What is the scope of an audit performed by the State Auditor's Office?
3. Does the State Auditor's Office pursue audits themselves or do they contract the work out?
4. Has the State Auditor's Office ever teamed up with local government to conduct an audit?

Mr. Gordon stated that these questions were discussed and that Mr. Lykins would be submitting an official response in writing.

Chairman Goetz then opened discussion regarding a date for the first April Commission meeting. Mr. Gordon stated that he would be out of town on April 16th and would like to reschedule the first April meeting. After some discussion, the meeting was rescheduled for 5:15 PM on April 23rd. The second April meeting will take place as originally scheduled – 5:15 PM on April 30th.

With no additional new business, Chairman Goetz adjourned the meeting at 6:31 PM.

Bill Goetz, Chairman

Dennis Andrew Gordon, FAICP
Executive Director/Secretary