

**Northern Kentucky Area Planning Commission
Meeting Minutes: May 5, 2014**

Chairman Tom Litzler called the Annual Organizational 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.

	Term	Present	Absent
Chairman Tom Litzler	May 2014 through April 2016	X	
Vice Chairman Paul Meier	May 2014 through April 2016	X	
Treasurer Dick Spoor	May 2013 through April 2015	X	
Commissioner Sherry Carran	May 2013 through April 2015	X	
Commissioner Bill Goetz	May 2014 through April 2016	X	
Commissioner Chris Moriconi	May 2013 through April 2016	X	
Commissioner Gene Weaver	May 2013 through April 2015	X	

Also present were: Councilman Randy Blankenship, NKAP Council Alternate – Erlanger; President Chuck Eilerman, NKAP Council Representative – Covington; Larry Klein, Covington City Manager; Councilwoman Pam Spoor, NKAP Council Alternate – Park Hills; Councilman Tom Vergamini, NKAP Council Representative – Crescent Spring; Jan Crabb, PHR, Finance/HR Administrator; Dennis Andrew Gordon, FAICP, Executive Director; and Lori Remley, Administrative Assistant.

Chairman Litzler asked for a moment of silence and then led the Pledge of Allegiance. After Ms. Remley called the roll, he asked that the record reflect that a quorum was present.

At this time, Ms. Remley administered the Oath of Office to the newly-elected and re-elected members - Commissioners Goetz, Meier, Moriconi, and Chairman Litzler.

Chairman Litzler took the opportunity to welcome Commissioner Moriconi.

ELECTION OF OFFICERS

Chairman Litzler asked for nominations for Chairman. Commissioner Meier nominated Tom Litzler for Chairman; Commissioner Weaver seconded the nomination. Commissioner Litzler agreed to the nomination and asked if there were any other nominations. There were none. Commissioner Goetz made a motion to close nominations for Chairman; Commissioner Spoor seconded the motion. With no other nominations, Chairman Litzler called the question to close nominations and re-elect Tom Litzler as 2014-15 Chairman. The roll call vote was

unanimous with Commissioner Litzler abstaining from the vote. Commissioner Litzler was re-elected Chairman for the 2014-15 program year.

Chairman Litzler asked for nominations for Vice Chairman. Chairman Litzler nominated Paul Meier for Vice Chairman; Commissioner Weaver seconded the nomination. Commissioner Meier agreed to the nomination and Chairman Litzler asked if there were any other nominations. There were none. Commissioner Goetz made a motion to close nominations for Vice Chairman; Commissioner Spoor seconded the motion. With no other nominations, Chairman Litzler called the question to close nominations and re-elect Paul Meier as 2014-15 Vice Chairman. The roll call vote was unanimous with Commissioner Meier abstaining from the vote. Commissioner Meier was re-elected Vice Chairman for the 2014-15 program year.

Chairman Litzler asked for nominations for Treasurer. Commissioner Goetz nominated Dick Spoor for Treasurer; Commissioner Carran seconded the nomination. Commissioner Spoor agreed to the nomination and Chairman Litzler asked if there were any other nominations. There were none. Commissioner Meier made a motion to close nominations for Treasurer; Commissioner Moriconi seconded the motion. With no other nominations, Chairman Litzler called the question to close nominations and re-elect Dick Spoor as 2014-15 Treasurer. The roll call vote was unanimous with Commissioner Spoor abstaining from the vote. Commissioner Spoor was re-elected Treasurer for the 2014-15 year.

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."

Ms. Remley administered the Oath of Office to the re-elected officers - Chairman Litzler, Vice Chairman Meier and Treasurer Spoor.

ACCEPTANCE OF AGENDA

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

Chairman Litzler asked if there were any comments from the public and noted that there were none.

FY15 BUDGET DISCUSSION

Chairman Litzler opened discussion on the final draft FY15 budget. Mr. Gordon indicated that the members and Budget Review Committee had been provided with the copies of the final draft of the FY15 budget. He went on to say that the Committee had already met to review and discuss the budget.

Chairman Litzler thanked the members of the NKAP Council's Budget Review Committee for their time and asked if they had any questions or concerns regarding the proposed budget.

Council President Eilerman advised the Commission members that Mr. Gordon had answered the committee's questions and that the issues they had had been dealt with.

Councilwoman Spoor commended Mr. Gordon and the Commission on producing a clear and succinct budget. She indicated that the proposed expenditures appear to be modest and appropriate. Her only remaining question was with regard to the expenditure for an emergency generator. She asked if Mr. Gordon if he had checked into the possibility of a grant to help pay for a generator. Mr. Gordon explained the process and stated that he had tried to obtain support several times during Judge-Executive Drees' term but was unsuccessful. Councilwoman Spoor suggested that Mr. Gordon try one more time and stated that he may find that he has support from Steve Hensley at Emergency Management after the assistance NKAPC and GIS provided immediately following the 2012 tornado that hit Piner and the surrounding area.

Additional discussion followed regarding what areas of the NKAPC building would be served by the generator, what type of generator was being proposed, and NKAPC's backup procedures. Councilwoman Spoor stated that it might be worth the effort—and both President Eilerman and Chairman Litzler agreed—that Mr. Gordon should contact Steve Hensley to see if applying for a grant through Emergency Management would be feasible.

Mr. Klein stated that it was nice to see the work program growing again and that the budget is not based on a tax rate increase. He also indicated that the 1.5% increase for staff is reasonable.

He reiterated concerns voiced during the Budget Review Committee's meeting with Mr. Gordon about the Kenton County Planning Commission (KCPC) budget and its continuing status of operating at a deficit. Mr. Klein questioned the need for duplicate insurance policies, audits and legal counsel. He stated that KCPC members were appointed, not elected officials and that he believes KCPC's budget should be rolled into a single budget which is voted on by elected officials to promote more accountability.

A lengthy discussion regarding these issues followed. Commissioner Goetz indicated that Mr. Edmondson had previously stated that it would necessary for KCPC to maintain separate legal counsel. Mr. Gordon concurred with Mr. Goetz's assertion. President Eilerman stated that these issues have been discussed at length during the Committee's meeting and that he concurs with Mr. Klein.

Mr. Gordon stated that Mr. Edmondson had advised him that KCPC's budget could be included in NKAPC's but should be shown as separate line items and that the auditor has indicated that it would be okay to wrap KCPC's budget into a single budget. He stated further that the auditor expressed no preference as to whether those revenues and expenditures should be segregated.

There was discussion regarding recent meetings between the NKAP Commission Executive Committee and the KCPC Executive Committee to address KCPC's deficit and how to handle the amount owed to NKAPC for past services. Chairman Litzler and Mr. Gordon stated that they have been talking with the KCPC's Executive Committee and outlined the current proposal to deal with the deficit and KCPC's outstanding debt to NKAPC. They also advised the Committee of the Executive Committees' differences in interpretation of what services are to be provided under the statute and what services are not covered.

Mr. Gordon responded that the current proposal on the table includes the following language.

1. The NKAPC will forgive all debt owing to NKAPC on June 30, 2014 before the end of the current fiscal year.
2. The NKAPC will assume financial responsibility for all staff costs to KCPC for a period of one year (July 1, 2014 through June 30, 2015).
3. The NKAP Commission chairman, NKAP Council president, and KCPC chairman will participate in a joint review of this issue during January 2015. This review will determine whether this interim resolution should be extended beyond June 30, 2015, or abandoned for a different approach which the group will develop.

Councilwoman Spoor stated her concern with this language and Councilmen Vergamini and Blankenship agreed that the proposal did not appear to be balanced between the two parties, with KCPC clearly getting the better end of the deal. More discussion between Commission and committee members followed.

President Eilerman stated that it may be necessary to speak to the elected officials who appoint KCPC members to ensure that the best interest of Kenton County taxpayers is being served. The members of the Budget Review Committee agreed unanimously that the current proposal before the NKAP Commission and KCPC Executive Committees was not in the best interest of the taxpayers and would not resolve KCPC's deficit issue in the long run and, as representatives of the NKAP Council, they advised the NKAP Commission against forgiving KCPC's debt at this point in time. They expressed opinions against waiting another six months to see if KCPC's situation improved and suggested that a new fiscal year's budget was the time to make the needed changes. Discussion regarding how to proceed followed.

Mr. Gordon advised the Commission and the Committee that he is working on finishing the annual work program and expected to have a draft to them soon. He indicated that the fee structure for One Stop Shop and the review of service levels would be part of it. Discussion regarding fees for historical rehab projects followed. Mr. Gordon explained the thought process behind how fees were determined originally and stated that all fees would be reviewed. He also reminded the Committee that the full Council had charged staff to recover at least 90% of costs through fees.

Mr. Gordon then asked the Commission and Committee whether the KCPC budget should be included in the single proposed NKAPC budget or if it should be left out. It was the general

consensus that, until the deficit and fees issue was resolved, the budgets should remain separate.

Commissioner Goetz made a motion to approve the proposed budget, excluding KCPC's portion, and to send it to the NKAP Council's Budget Review Committee; Commissioner Weaver seconded the motion. Members questioned whether this motion was necessary since the Committee had already completed its review. Mr. Gordon stated that, due to timing, the Committee had met and completed its review before the Commission had met and voted to send it to the Committee. He recommended being consistent with how this was historically done.

During some additional discussion regarding KCPC's budget and the proposed "compromise", Councilwoman Spoor excused herself from the meeting at 6:18 PM. Commissioners Moriconi and Weaver then left the meeting at 6:32 PM.

Commissioner Goetz reiterated his motion to forward the proposed budget, excluding KCPC's portion, to the NKAP Council's Budget Review Committee; Commissioner Meier seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Commissioners Carran, Goetz, Meier, Spoor, and Chairman Litzler in favor of the motion. The motion passed unanimously.

The meeting was briefly recessed at approximately 6:50 PM to allow the NKAP Council's Budget Review Committee to vote on the FY15 proposed budget. Committee members left once the Budget Review Committee meeting adjourned.

Chairman Litzler reconvened the annual organizational meeting at approximately 7:02 PM at which time Commissioner Spoor excused himself from the meeting and Commission members continued discussion on how best to handle KCPC's debt.

Commissioner Meier made a motion, based on the feedback provided by the NKAP Council's Budget Review Committee and discussion by the Commission, to reject the recommended language made to KCPC's executive committee in an email dated April 17; Commissioner Carran seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Commissioners Carran, Goetz, Meier, and Chairman Litzler in favor of the motion. The motion passed unanimously.

Commissioner Goetz noted for the record that this decision was not meant to undermine Mr. Gordon's or Chairman Litzler's efforts but to make clear that the Commission was pursuing the desire of the community's elected officials.

ONGOING BUSINESS

Chairman Litzler asked if the Minutes of the April 14, 2014 business meeting were acceptable or if anyone had any additions/corrections. Commissioner Goetz made a motion to accept the Minutes of the April 14, 2014 business meeting as presented; Commissioner Carran seconded

the motion. Chairman Litzler asked for a roll call vote on the motion which found Commissioners Carran, Goetz, Meier, and Chairman Litzler in favor of the motion. The motion passed unanimously.

Ms. Crabb gave an overview of the monthly financial report for the period ending March 31, 2014 (general fund, reserve funds, and fee-based revenue). She advised members that fee-based revenue ended the third quarter \$167,595 ahead of projections. After a brief discussion, Chairman Litzler asked for a motion. Commissioner Goetz made a motion to accept the March 31, 2014 report as presented subject to audit; Commissioner Meier seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Commissioners Carran, Goetz, Meier, and Chairman Litzler in favor of the motion. The motion passed unanimously.

Chairman Litzler noted for the record that legal counsel was not present to give his report due to a health issue.

Chairman Litzler asked for the report from the executive director. Mr. Gordon advised members that a new code enforcement employee will start on May 12th and that he comes from the City of Ludlow, with the mayor's blessing. He reiterated that the work program is nearing completion and will be on the May 27th agenda. He stated that he is also working to gather the information from the third pre-qualified company with regard to the RFP. Mr. Gordon also noted the upcoming meeting dates at the bottom of the agenda.

Chairman Litzler asked for the report from the Fiscal/HR administrator. Ms. Crabb stated that, as a result of the Affordable Care Act, 18 groups are working with the Municipal Government League on an Interlocal Agreement to become self-insured. She indicated that there would be approximately 453 employees and that there was a meeting scheduled for tomorrow to review the draft Interlocal Agreement (a copy of which is attached to the original minutes).

Ms. Crabb advised members that there are three plan designs but only one suits NKAPC's needs. She stated that the deductibles would be \$500/single and \$1,000/family with out of pocket maximums being \$1,500/single and \$3,000/family. Coverage would be through Health Span and the plan would be administered by Med Ben. If the details can be worked out, the target date to switch coverage would be July 1st which would result in another short deductible year and possible reimbursement to employees. She also stated that there would be a three year commitment with nine to ten percent increases per year. Ms. Crabb indicated that she would provide an update at the May 27th meeting.

Chairman Litzler asked for reports from committees and/or members of the Commission. Commissioner Goetz provided an update regarding HB276 which limits the number of commissions/boards a person can serve on if those bodies are special purpose/taxing districts. A brief discussion followed.

NEW BUSINESS

Chairman Litzler asked for review of a staff proposal to increase all One Stop Shop program fees in amounts equal to 1.5 percent overall effective July 1st in keeping with terms of our interlocal agreements, in accordance with the 2013 Kentucky CPI, and with the support of the NKAP Council.

After some discussion, Chairman Litzler asked for a motion. Commissioner Goetz made a motion to increase all One Stop Shop program fees in amounts equal to 1.5 percent overall effective July 1, 2014; Commissioner Meier seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Commissioners Carran, Goetz, Meier, and Chairman Litzler in favor of the motion. The motion passed unanimously.

Chairman Litzler asked for review of a proposed meeting schedule for May 2014 through May 2015. Mr. Gordon briefly outlined the proposed schedule.

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

Chairman Litzler asked for review of the executive director's claim for third quarter expense reimbursements.

After a brief review, Chairman Litzler asked for a motion. Commissioner Goetz made a motion to authorize reimbursement of the executive director's third quarter expenses as presented; Commissioner Carran seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Commissioners Carran, Goetz, Meier, and Chairman Litzler in favor of the motion. The motion passed unanimously.

Chairman Litzler advised members that there had been discussion at the recent Council meeting regarding how to get appointed officials to meet their continuing education requirements and about the Executive Committees meeting periodically. He also stated that Ms. Brush's presentation regarding landslides was very interesting and informative.

With no further business, Chairman Litzler reminded members of upcoming meetings as noted on the agenda. Commissioner Meier made a motion to adjourn; Commissioner Carran seconded the motion. With no objections, Chairman Litzler adjourned the meeting at approximately 7:32 PM.

Tom Litzler, Chairman

Dennis Andrew Gordon, FAICP
Executive Director/Secretary