

**Northern Kentucky Area Planning Commission
Meeting Minutes: March 25, 2013**

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.

	Term	Present	Absent
Chairman Tom Litzler	May 2012 through April 2014	X	
Vice Chairman Paul Meier	May 2012 through April 2014	X	
Treasurer Dick Spoor	May 2011 through April 2013		X
Commissioner Nancy Atkinson	May 2012 through April 2014	X	
Commissioner Sherry Carran	May 2011 through April 2013	X	
Commissioner Bill Goetz	May 2012 through April 2014	X	
Commissioner Gene Weaver	May 2011 through April 2013	X	

Also present were: Trisha Brush, GISP, Director of LINK-GIS Administration; Jan Crabb, PHR, Finance/HR Administrator; Scott Hiles, Director of Infrastructure Engineering; Christy Powell, GISP, Senior GIS Programmer/Specialist; Martin Scribner, AICP, Director of Planning and Zoning; Brian Sims, CBO, Chief Building Official; Garry Edmondson, Legal Counsel; Dennis Andrew Gordon, FAICP, Executive Director; and Lori Remley, Administrative Assistant.

Chairman Litzler asked for a moment of silence and led the Pledge of Allegiance. He asked that the record reflect that a quorum was present.

ACCEPTANCE OF AGENDA

Chairman Litzler asked if there was a motion to accept the agenda. Commissioner Goetz made a motion to accept the agenda as presented; Commissioner Carran 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.

ONGOING BUSINESS

Chairman Litzler asked if the Minutes of the February 25, 2013 monthly business meeting were acceptable or if anyone had any additions/corrections. Commissioner Meier made a motion to accept the February 25, 2013 minutes as presented; Commissioner Carran seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Commissioners Carran,

Meier, Weaver, and Chairman Litzler in favor of the motion with Commissioners Atkinson and Goetz present but not voting. The motion passed unanimously.

Ms. Crabb gave an overview of the February financial report along with the fee-based revenue report through March 22nd (\$34,379 in the black). After a brief discussion, Chairman Litzler asked for a motion. Commissioner Goetz made a motion to accept the February report and fee-based revenue report as presented subject to audit; Commissioner Weaver seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Commissioners Atkinson, Carran, Goetz, Meier, Weaver and Chairman Litzler in favor of the motion. The motion passed unanimously.

Chairman Litzler asked for the departmental report from GIS Administration. Ms. Brush advised members that Christy Powell would be giving the update on behalf of GIS Administration. She stated that Ms. Powell has been with NKAPC for 16.5 years, has obtained her GISP certification, and is a senior GIS programmer.

Ms. Powell updated members on a few things staff is working on – orthophotography, comp plan support, website update, and ArcGIS Mobile Web. A copy of Ms. Powell’s PowerPoint presentation is attached to the original minutes.

Following Ms. Powell’s presentation there was discussion regarding the difference between oblique photography and orthophotography. Staff indicated that the LINK-GIS partnership has been using orthophotography since 1999. The PVA started using Pictometry in 2008 but both the Water District and SD1 need orthophotography. Orthophotography is used to gather data and provides considerably more detail. Pictometry is a good product and provides the PVA with the information it needs, but it doesn’t provide the level of detail needed by the Water District or SD1. Ms. Brush indicated that using only Pictometry would be going backward.

Members asked what Boone County and other GIS departments use and Ms. Brush indicated that they use orthophotography.

Chairman Litzler asked for legal counsel’s report. Mr. Edmondson stated that, other than his opinion letter regarding the Council’s Recommendation 15, he had nothing new to report.

Chairman Litzler asked the executive director for his report. Mr. Gordon advised members that staff would be sending out new interlocal agreements for One Stop Shop and the Joint Code Enforcement Board later this week. He stated that the new code enforcement agreement spells out how to handle the proceeds of a lien when it is called. He indicated that Stacy Tapke has done a fantastic job redrafting these agreements. Mr. Edmondson recognized Frank Wichmann for his assistance and stated that he has acted as a sounding board throughout the process.

Mr. Gordon reminded members that during the last meeting they had discussed the cost of installing a sprinkler system in the basement where the off-site storage had been moved. He stated that several contractors had been in to evaluate the space and found that there was already a sprinkler system in place. He then asked Mr. Sims to outline the issues found.

Mr. Sims stated that the current system has metal corrosion and that there isn’t a double check valve where it branches off of the main water line which allows black water to flow back into the main water supply. He indicated that KW is looking at capping the system where it

branches off to eliminate the black water issue. He also advised members that the supply line from the meter into the building is inadequate and that he has asked for bids to install a 2” supply line.

Chairman Litzler asked for the review of HB1 as approved by the 2013 Kentucky General Assembly. Mr. Gordon stated that it appears all provisions would go into effect in July 2014 and that financial statements would be posted periodically to the website. He indicated that NKAPC would have to pay a yearly fee of \$500 to help maintain the website and that the DLG can raise this fee once. He stated that the fee is based on the amount of NKAPC’s budget. Mr. Gordon also advised members that any increased fee or tax rate would have to be presented to the Fiscal Court with a report as to why these fees/tax rates are being increased. He indicated that written notice would need to be made 30 days in advance and that verbal notification would have to be made ten days prior at public hearing which would need to be held in the Fiscal Court hearing room. Mr. Gordon indicated that the only real impact on NKAPC is the \$500 fee and the notice to the Fiscal Court. NKAPC has been meeting all the other requirements for decades.

Chairman Litzler asked for reports from committees or members of the Commission. Commissioner Meier stated that he attended the 2030 task force meeting. They discussed the public hearing items and are making adjustments. Chairman Litzler updated members regarding the Fort Wright City Council Meeting on March 6th. He outlined the four issues discussed – bonding, zoning issues, floodplain issues, and the statement of goals and objectives. Mr. Gordon briefly outlined Agenda 21—as stated in some of the questioning that ensued during the city’s council meeting—and stated that it is not a part or goal of the comp plan.

NEW BUSINESS

None

DISCUSSION

Chairman Litzler opened the ongoing discussion on the FY14 annual work program and budget. Mr. Gordon stated that the redrafting of Interlocal Agreements would probably cause an increase in fees. He asked Mr. Scribner to outline staff concerns regarding the breakdown of the various service levels. Mr. Scribner stated that there are currently four service levels and that some of the cities don’t use all of the services offered on the level that they contract for – i.e. Covington only uses half the services on its level. He questioned the logic of the current breakdown and whether they should look at re-grouping services or offering services “a la carte”. He outlined the different levels. There was discussion regarding the seven services, whether the cities should be able to pick and choose, or which services should be included in the same service level.

Discussion followed regarding the various levels and fees. Mr. Gordon advised members that floodplain administration was added after One Stop Shop was created. He also indicated that this review and discussion was one of the Council’s recommendations. He suggested members work with the Council over the next year to determine what the general consensus is or if they wanted staff to reassess the fees issue. After further discussion, Chairman Litzler indicated that one of the Commission’s Long-Range Operations Committee should work with staff to re-evaluate the service levels and fees.

Mr. Gordon advised members that he is pursuing the 2014 budget using the compensating rate unless members want him to do otherwise. He also outlined the rates used for the last four years. Commissioner Meier recommended starting with the compensating rate and seeing how things looked. The other members were in agreement.

Mr. Gordon asked if members wanted him to pursue a different rate on personal property which is not subject to HB 44. After some discussion, Commissioner Meier recommended leaving this rate at three percent and the other members agreed.

Mr. Gordon reminded members that he and Jan are looking at the pay plan as a result of recent comments and a desire to bring it in line with the private sector – merit vs. longevity. There was discussion regarding the impact on CERS and the exponential growth it would prompt in costs. Chairman Litzler asked if a five-year comparison could be done. Mr. Gordon stated that they could pull the numbers together in time for the budget review session scheduled for April 8th.

Mr. Gordon then asked members if they had any additional thoughts regarding the PVA's demand - \$35,000 for access to data. He reminded them of the comment made by Commissioner Spoor at the last meeting – we have a fiduciary responsibility to pursue the most cost-effective course. Members asked if the Water District or SD1 are going to pay the PVA. Mr. Gordon stated that they aren't and that both are open to share the cost of having a staff member gather the data. There was additional discussion regarding the process of gathering the data from the County Clerk's Office and the cost of KCOR (\$800/year).

Chairman Litzler then opened discussion on the fiscal management recommendations given to the Commission by the NKAP Council.

Members discussed 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.

Mr. Edmondson stated that he suggests a simple way to address this recommendation. He indicated that the names "Northern Kentucky Area Planning Commission" and "Northern Kentucky Area Planning Council" cannot be changed since they were set by the organizing agreement into which all the member governments entered. His recommendation would be to simply change the name of the building, the staff, and everything that goes on with staff. There was discussion regarding these changes, the tax used to fund the staff for KCPC, and KCPC's contract with the cities.

Members discussed recommendation #14.

Prepare an RFP for an Operational and Organizational Assessment/Performance Audit of the NKAPC, Planning Council, and Commission. This RFP, prior to issuance by the Commission, will be reviewed by the Council and the proposals received may be recommended to the Commission for execution and

implementation if anticipated benefits outweigh the prospective cost. The Council will use the audit findings in its oversight role with the Commission.

Mr. Gordon reminded members that the RFP has been drafted; however, it still needs some work. He advised members that this matter will need to be put on the back burner so he can work on the budget and recommendation 15. Members expressed agreement with this position.

In response to Auditor's Recommendation #7, Mr. Gordon provided members with an initial and incomplete draft list of assets and indicated this list was a work in progress.

Chairman Litzler asked if there was any other business. With none, Chairman Litzler reminded members of upcoming meetings as noted on the agenda.

With no other business to discuss, Commissioner Atkinson made a motion to adjourn; Commissioner Weaver 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