

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**July 16, 2013**  
**5:30 P.M.**

**ITEM I.**                                      **CALL TO ORDER**

Judge Gary W. Moore called to order the meeting of the Boone County Fiscal Court.

Present:            Gary W. Moore, County Judge/Executive  
                      Matt Dedden, Commissioner, District 1  
                      Charles E. Kenner, Commissioner, District 2  
                      Charlie Walton, Commissioner, District 3  
                      Robert Neace, County Attorney

Staff:               Ben Reece, Finance Director  
                      Ben Huff, Sheriff's Department  
                      Greg Sketch, County Engineer  
                      Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive  
                      Lisa Buerkley, Assistant County Administrator  
                      Daphne Kornblum, Fiscal Court Clerk

**ITEM II.**                                      **APPROVAL OF MINUTES**

Commissioner Dedden moved, seconded by Commissioner Kenner, to approve the Minutes from the meeting of July 2, 2013. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

**ITEM III.**                                    **PRESENTATIONS**

Judge Moore announced the recognition of Class A, Dozers Knothole Baseball team.

Judge Moore spoke regarding the Boone County Farm Tour. Adam Howard, Deborah Messmer & Monty Taylor, Soil & Water conservation gave a presentation of the Farm Tour event that took place on June 29, 2013 and presented a gift basket to the winner of the photo contest, Bridget Warner.

**ITEM IV.**                                    **PERSONNEL MATTERS**

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 13-139, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE APPOINTMENT OF JUSTIN SMITH, BY GARY W. MOORE, COUNTY JUDGE EXECUTIVE, TO THE POSITION OF PUBLIC SERVICES LABORER IN THE PUBLIC WORKS DEPARTMENT. Lisa Buerkley made comments. Commissioner Dedden asked a question to which Lisa Buerkley responded. Commissioner Kenner moved, seconded by Commissioner Dedden, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

**ITEM V.**                                    **ORDINANCES**

Judge Moore asked the Fiscal Court Clerk to read into the record the first reading of AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT RELATING TO APPROVAL, WITH CONDITIONS, FOR A REQUEST OF LEROY LAMONTAGNE (APPLICANT) FOR ANSWERS IN GENESIS OF KENTUCKY, INC. (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM RURAL SUBURBAN ESTATES (RSE) TO RECREATION (R) FOR A 24.85 ACRE SITE LOCATED AT 2956 JORDAN LANE, BOONE COUNTY, KENTUCKY. Kevin Wall, Planning & Zoning, gave a presentation of the ordinance. Judge Moore and Commissioner Walton made comments. Judge Moore stated the second reading of this ordinance would take place at a Special Fiscal Court meeting on July 25, 2013 at 5:30pm. Mark Loy, VP & CCO of AIG shared information and statics about the museum.

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Judge Moore asked the Fiscal Court Clerk to read into the record the first reading of AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT RELATING TO APPROVAL, WITH CONDITIONS, FOR A REQUEST OF CORPOREX PARKS OF KENTUCKY, LLC (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN AN INDUSTRIAL ONE/PLANNED DEVELOPMENT (I-1/PD) ZONE FOR A 35.2723 ACRE TRACT GENERALLY LOCATED ON THE SOUTH SIDE OF GATEWAY BOULEVARD ACROSS FROM THE PROPERTIES AT 2100 AND 2200 GATEWAY BOULEVARD, ON THE NORTH SIDE OF CONRAD LANE ACROSS FROM DERBY FARMS SUBDIVISION AND REGAL RIDGE SUBDIVISION, AND TO THE EAST OF THE KENTUCKY ARMY NATIONAL GUARD FACILITY AT 2676 CONRAD LANE, BOONE COUNTY, KENTUCKY. Mitch Light, Planning & Zoning, gave a presentation of the ordinance. Commissioner Dedden asked a question to which Mitch Light and Judge Moore responded. Jeff Earlywine asked a question to which Mitch Light and Greg Sketch responded. Judge Moore stated the second reading of this ordinance would take place at the August 6, 2013 Fiscal Court meeting.

Judge Moore asked the Fiscal Court Clerk to read into the record the first reading of AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT AMENDING IN PART, ORDINANCE 12-03 AS CODIFIED IN CHAPTER 71 OF THE BOONE COUNTY, KENTUCKY CODE OF ORDINANCES SECTIONS 71.01, 71.08 71.10, 71.11, 71.12, 71.13 AND 71.15 FOR VEHICLES STOPPED, PARKED OR LEFT STANDING ON OR OVER ANY ROAD OR STREET OR RIGHT OF WAY LOCATED WITHIN BOONE COUNTY, THE CITY OF UNION OR THE CITY OF WALTON AND FOR VEHICLES STOPPED, PARKED OR LEFT STANDING ON OR OVER PARKING LOTS OR SPACES OWNED OR MAINTAINED BY THE COUNTY OF BOONE, THE CITY OF UNION OR THE CITY OF WALTON. Jeff Earlywine and Judge Moore made comments and thanks Gwen Vice for her work on this project. Jeff Smith, citizen, asked a question to which Judge Moore, Jeff Earlywine and Greg Sketch responded. Judge Moore stated the second reading of this ordinance would take place at the August 6, 2013 Fiscal Court meeting.

Judge Moore asked the Fiscal Court Clerk to read into the record the first reading of AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT AMENDING IN PART, ORDINANCE 12-04 AS CODIFIED IN CHAPTER 73 SECTION 73.03 OF THE BOONE COUNTY, KENTUCKY CODE OF ORDINANCES TO PROVIDE A HEARING BOARD FOR ENFORCEMENT OF COUNTY ORDINANCES FOR VEHICLES STOPPED PARKED OR LEFT STANDING ON OR OVER ANY ROAD, STREET OR RIGHT OF WAY LOCATED WITHIN THE COUNTY, CITY OF UNION OR CITY OF WALTON AND FOR VEHICLES PARKED OR LEFT STANDING ON OR OVER ANY PARKING LOT OR SPACE OWNED OR MAINTAINED BY THE COUNTY, CITY OF UNION OR CITY OF WALTON. Judge Moore stated the second reading of this ordinance would take place at the August 6, 2013 Fiscal Court meeting.

Judge Moore asked the Fiscal Court Clerk to read into the record the first reading of AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES FOR THE COUNTY OF BOONE, KENTUCKY. Judge Moore made comments and stated the second reading of this ordinance would take place at the August 6, 2013 Fiscal Court meeting.

**ITEM VI.**

**JUDGE'S REPORT**

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 13-140, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING SANDRA EASTON TO THE CONVENTION CENTER CORPORATION BOARD OF DIRECTORS. Judge Moore made comments. Commissioner

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Walton moved, seconded by Commissioner Kenner, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

**ITEM VII.**

**ADMINISTRATIVE MATTERS**

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 13-141, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE REMOVAL AND RELOCATION OF ABANDONED GRAVES LOCATED AT 10801 SEABISCUIT COURT. Judge Moore made comments. Commissioner Dedden moved, seconded by Commissioner Walton, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 13-142, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT ACKNOWLEDGING RECEIPT OF THE PUBLIC HEALTH TAX RATE SET BY THE BOONE COUNTY PUBLIC HEALTH TAXING DISTRICT CREATED BY KRS 212.750 AND VERIFYING ITS PLACEMENT ON THE COUNTY TAX BILL. Judge Moore and Commissioner Kenner made comments. Commissioner Dedden moved, seconded by Commissioner Walton, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 13-143, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT DECLARING A USED GOLF STREAM TRAVEL TRAILER THAT WAS PREVIOUSLY DECLARED AS SURPLUS PROPERTY IN THE BOONE COUNTY EMERGENCY MANAGEMENT DEPARTMENT BE CONSIDERED A DONATION TO THE OWEN COUNTY EMERGENCY MANAGEMENT DEPARTMENT. Lisa Buerkley made comments. Commissioner Walton moved, seconded by Commissioner Kenner, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 13-144, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING CHANGE ORDER #1 TO A CONTRACT FOR ARCHAEOLOGICAL SERVICES ASSOCIATED WITH THE PROPOSED PETERSBURG WATER EXTENSION PROJECT WITH K & V CULTURAL RESOURCES. Judge Moore made comments. Adam Howard gave an overview of the ongoing project. James Daugherty, Water Commission, made comments. Commissioner Kenner moved, seconded by Commissioner Dedden, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

**ITEM VIII.**

**FISCAL MATTERS**

Commissioner Walton moved, seconded by Commissioner Kenner, to approve Invoice Report (7-16-13) and pre-paid invoice report dated (7-3-13) and (7-11-13). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Kenner moved, seconded by Commissioner Walton to approve Golf Course Invoice Report (7-16-13) and pre-paid invoice report dated (7-3-13) and (7-11-13). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Kenner moved, seconded by Commissioner Dedden to approve the Monthly Financial Report and Interfund Transfer for May. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

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**ITEM IX.**

**OLD BUSINESS**

None at this time

**ITEM X.**

**NEW BUSINESS**

Judge announced the Special Fiscal Court meeting on July 25, 2013 at 5:30pm.

**ITEM XI.**

**CLOSED SESSION**

Judge Moore announced a Closed Executive Session of the Fiscal Court to discuss matters relating to the possible discipline or dismissal of an employee, pursuant to KRS 61.810(f). Commissioner Walton moved, seconded by Commissioner Kenner to move into Executive Session. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). Fiscal Court members went into closed session at 6:30pm.

At 8:06pm, Commissioner Kenner moved, seconded by Commissioner Dedden to come out of closed session. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).


**ITEM XI.**

**ADJOURNMENT**

Commissioner Walton moved, seconded by Commissioner Kenner, to adjourn the meeting, ALL PRESENT VOTING AYE (4-0).

**CLERK CERTIFICATION**

I, Daphne Kornblum, having been appointed to the office of Fiscal Court Clerk, do hereby certify that this is a true and accurate record of the actions taken by the Boone County Fiscal Court at the meeting of July 16, 2013.

  
Fiscal Court Clerk

Date: 8-7-13