

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
September 4, 2012
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
Les Hill, 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 Walton moved, seconded by Commissioner Dedden, to approve the Minutes from the meeting of August 21, 2012. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

ITEM III.

PUBLIC HEARING

Judge Moore asked the Fiscal Court Clerk to read into record the Public Hearing Notice. Judge Moore called the Public Hearing as open. Bill McElhaney, citizen, made comments. Terry Donahue, citizen asked a question to which Jeff Earlywine and Judge Moore responded. Jeff Smith, citizen, made comments. Jim Parsons, Attorney representing the developer, responded to questions and comments made by the citizens. Commissioner Walton asked a question to which Jim Parsons responded. Judge Moore made comments and asked a question to which Jim Parsons responded. Commissioner Walton asked questions to which Jim Parsons responded. Bob Neace, County Attorney, asked a question to which Jim Parsons responded. Commissioner Dedden made comments and asked a question to which Jim Parsons responded. Commissioner Walton asked questions to which Jack Berberich, the developer responded. Bill McElhaney, Commissioner Walton, Terry Donahue, Jeff Smith Judge Moore and Jack Berberich made comments. Judge Moore called the Public Hearing to a close at 6:20pm.

ITEM IV.

PRESENTATIONS

Judge Moore read a proclamation for "National Preparedness Month". Mark Ihrig, Director of Emergency Management and Judge Moore made comments. Judge Moore read a proclamation for "Boone County Conservation Day" and presented it to Debra Messer with the Conservation District. Gary Roaden, citizen, gave a presentation on the Paddock Drive speeding issue. Judge Moore made comments.

ITEM V.

PERSONNEL MATTERS

None at this time.

ITEM VI.

ORDINANCES

Judge Moore asked the Fiscal Court Clerk to read into record the second reading of AN ORDINANCE RELATING TO MAKING CERTAIN FINDINGS CONCERNING AND ESTABLISHING A LOCAL DEVELOPMENT AREA FOR ECONOMIC DEVELOPMENT PURPOSES WITHIN THE COUNTY TO BE

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KNOWN AS THE FRIENDLY MARKET LOCAL DEVELOPMENT AREA; APPROVING A LOCAL DEVELOPMENT AREA AGREEMENT AMONG THE COUNTY AND THE FRIENDLY MARKET LLC; ESTABLISHING AN INCREMENTAL TAX SPECIAL FUND FOR PAYMENT OF REDEVELOPMENT ASSISTANCE AND PROJECT COSTS PREPARATION; DESIGNATING THE COUNTY AS THE AGENCY RESPONSIBLE FOR OVERSIGHT, ADMINISTRATION, AND IMPLEMENTATION OF THE LOCAL DEVELOPMENT AREA; AND AUTHORIZING THE COUNTY JUDGE/EXECUTIVE AND OTHER OFFICIALS TO TAKE SUCH OTHER APPROPRIATE ACTIONS AS ARE NECESSARY OR REQUIRED IN CONNECTION WITH THE ESTABLISHMENT OF THE LOCAL DEVELOPMENT AREA. Commissioner Walton made comments and then a motion to table the ordinance, seconded by Judge Moore. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0. Judge Moore stated the ordinance would be laid over until the September 18, 2012 Fiscal Court Meeting.

ITEM VII.

JUDGE'S REPORT

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 12-150, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING KURT CHEEK TO FULFILL THE UNFINISHED TERM OF BRAD NEGARD ON THE HEBRON FIRE PROTECTION DISTRICT BOARD. Commissioner Dedden moved, seconded by Commissioner Kenner, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

ITEM VIII.

ADMINISTRATIVE MATTERS

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 12-151, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT ESTABLISHING THE 2012 AD VALOREM TAX RATES FOR BOONE COUNTY, KENTUCKY. Jeff Earlywine gave a presentation. Fiscal Court members, county staff, and citizens began a lengthy question and comment period. Commissioner Dedden made a motion to set the Real Property Tax Rate at 10.5 cents and keep the Personal Property Tax Rate at 14.2 cents, seconded by Commissioner Walton. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 2-2 (Judge Moore and Commissioner Kenner voting Nay), motion failed. Judge Moore made a motion to set the Real Property Tax Rate at 10.5 cents, the Personal Property Tax Rate at 15.0 cents and lower the Motor Vehicle Tax from 15.6 cents to 14.0 cents, seconded by Commissioner Kenner. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 2-2 (Commissioners Walton and Dedden voting Nay), motion failed. Commissioner Dedden asked the Fiscal Court staff to refigure different numbers, to which Judge Moore called for a recess to give the staff time to work on the new calculations. Judge Moore called the meeting back to order at 7:45pm. Commissioner Dedden made a motion to set the Real Estate Property Tax Rate at 10.5 cents, Personal Property Tax Rate at 14.5 cents, and the Motor Vehicle Tax Rate at 15.2 cents, seconded by Commissioner Kenner. 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 12-152, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING CONSTRUCTION REVISION #1 AND #2 FOR THE SOUTH AIRFIELD ROAD PROJECT. Jeff Earlywine 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 12-153, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDDING THE BID TO PURCHASE A RUBBER TIRE 4 X 4 WHEEL LOADER FOR THE BOONE COUNTY PUBLIC WORKS DEPARTMENT TO SOUTHEASTERN EQUIPMENT COMPANY, INC. Greg Sketch, County Engineer and Commissioner Dedden made comments. Commissioner Dedden moved, seconded by Commissioner Kenner, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

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Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 12-154, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE PRELIMINARY SHERIFF'S TAX SETTLEMENT FOR ALL SPECIAL DISTRICTS FOR THE CALENDAR YEAR 2011. Lisa Buerkley, Assistant County Administrator, 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.

ITEM VIII. **FISCAL MATTERS**

Commissioner Kenner moved, seconded by Commissioner Walton, to approve Invoice Report (9-4-12). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Dedden moved, seconded by Commissioner Walton to approve Golf Course Invoice Report (9-4-12). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

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

ITEM IX. **OLD BUSINESS**

Bob Cicero, citizen, made comments and provided a written statement referring to a number of issues including the county's employee health insurance program, the employment agreement for the County Administrator and personal use of county vehicles by the County Administrator and County Engineer.

ITEM X. **NEW BUSINESS**


None at this time.

ITEM XI. **ADJOURNMENT**

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

CLERK CERTIFICATION

I, Daphne Korablum, 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 September 4, 2012.


 Fiscal Court Clerk

Date: 9/18/12