

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**April 5, 2016**  
**5:30 P.M.**

**ITEM I.**

**CALL TO ORDER**

- A. Judge Gary W. Moore called to order the meeting of the Boone County Fiscal Court.
- B. Commissioner Charles Kenner presented the Invocation and the Pledge to the Flag.

Present: Gary W. Moore, County Judge/Executive  
Cathy H. Flaig, Commissioner, District 1  
Charles E. Kenner, Commissioner, District 2  
Charlie Walton, Commissioner, District 3  
Bob Neace, County Attorney

Staff: Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive  
Matthew H. Webster, Assistant County Administrator  
Benjamin T. Reece, Treasurer/Finance Director  
Scott Pennington, County Engineer  
Lori Zombek, Director of Human Resources  
Maj. Tom Scheben, Sheriff Department  
Sharon Burcham, Fiscal Court Clerk

**ITEM II.**

**APPROVAL OF MINUTES**

A. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Minutes from the March 15, 2016 meeting, with no corrections. Judge Moore called for a vote on the motion, MOTION PASSED 4-0.

**ITEM III.**

**PRESENTATIONS**

A. Judge Moore announced that the month of April has been designated as County Government Month by the National Association of Counties. We will be promoting County Government by attending some of the local city meetings. The Fiscal Court was also recognized at the Blue Ribbon Campaign event sponsored by the Family Nurturing Center for the prevention of child abuse. April is the Child Abuse Prevention Month.

Judge Moore asked the Court to move up ITEM VII. E on the Agenda as Chief Birkle needs to attend another meeting tonight.

E. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-48. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING A MEMORANDUM OF AGREEMENT/LEASE AGREEMENT WITH THE KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM (KCTCS), ON BEHALF OF THE KENTUCKY FIRE COMMISSION FOR A LONG TERM LAND LEASE TO SUPPORT THE CONSTRUCTION OF AN EDUCATIONAL FACILITY. Judge Moore introduced Chief Birkle from the Petersburg Fire District. Jeff Earlywine, County Administrator explained the staff has been working with the State to move this project forward. This is for a new training facility in Boone County for training across the region. The County owns land on Conrad Lane adjacent to the Fire Training Center, there is no debt or liens associated with this. The County will lease the property for \$1.00 per year with a 20 year lease term that can be renewed for additional 20 year terms. The building will be deeded to the County if discontinued to be used for KCTCS purposes. Chief Bill Birkle stated he is the Training Coordinator for 8 counties. This building will be a great asset to the County. Commissioner Flaig asked if the building would be located next to the Tower, Chief Birkle responded, yes. Judge Moore agreed this would be another asset for the County. This building would be paid for by the State. Commissioner Flaig 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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**ITEM IV.**

**PERSONNEL MATTERS**

A. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-38. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING THREE (3) SEASONAL EMPLOYEE RE- HIRES AND FIVE (5) SEASONAL EMPLOYEE NEW HIRES, AT THE BOONE COUNTY GOLF COURSES. Judge Moore commented the County is preparing up for the summer. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

B. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-39. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, AUTHORIZING THE HIRING OF KENNY CROOKER AND VICTOR ROBINSON AS SEASONAL EMPLOYEES FOR PUBLIC SERVICES IN THE PUBLIC WORKS DEPARTMENT. Lori Zombek, Human Resources Director commented these are seasonal positions. Judge Moore added these are part-time positions and not eligible for pension benefits. Commissioner Walton moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

C. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-40. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, AUTHORIZING THE PROMOTION OF MICAH FELDHAUS TO PARKS SUPERINTENDENT FOR THE BOONE COUNTY PARKS DEPARTMENT. David Whitehouse, Director of Parks, stated we are excited to have Micah. Over 100 applications were received, we interviewed 6 people. It was a unanimous vote to promote Micah, he is life-long Boone Countian and he has earned everything he gets. This position is changing from an OT position to salary exempt. Judge Moore commented that is an outstanding recommendation and congratulated Micah. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

D. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-41. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, AUTHORIZING THE HIRING OF THREE (3) SEASONAL RE-HIRES AND TWO (2) SEASONAL NEW HIRES FOR THE MAINTENANCE DEPARTMENT AT THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek, Director of Human Resources explained these are more seasonal positions. Judge Moore added we are trying to get a full staff. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

E. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-42. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, AUTHORIZING THE APPOINTMENTS OF RYAN MCGILL, TYLER SMITH, CHRIS SHOEMAKER AND JESSE TOMLIN TO THE FULL TIME POSITION OF TELECOMMUNICATOR IN THE PSCC DEPARTMENT. Lori Zombek, Director of Human Resources explained we are pleased to bring 4 positions at a time. Judge Moore commented these are filling vacant positions. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

**ITEM V.**

**ORDINANCES**

A. Judge Moore asked the Fiscal Court Clerk to read into the record the first reading of an Ordinance. AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, AFFIRMING AND ADOPTING AN ELECTRICAL INSPECTION FEE SCHEDULE FOR BOONE COUNTY, KENTUCKY. Matthew Webster, Assistant County Administrator explained this Ordinance is to bring current our fee schedule. This is not creating any new fees or raising any fees. This will renew an Agreement with the State and expand to cover all levels of inspection except high hazard and institutional uses. The Chief Building Inspector will be here for the second reading to answer any questions. Judge Moore commented this is a housekeeping measure and asked if there were any questions from the Court. Proposed date for second reading will be May 3, 2016.

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B. Judge Moore asked the Fiscal Court Clerk to read into the record the first reading of an Ordinance. AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, APPROVING A CREDIT OF ITS OCCUPATIONAL LICENSE FEE FOR NEW EMPLOYEES AS PART OF AN ECONOMIC DEVELOPMENT PROJECT BY TEESPRING INC. UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM. Jeff Earlywine, County Administrator, commented this is a custom print apparel company, new to the County. They are located on Aviation Boulevard and backfilling an existing space. They produce 50,000 articles per day. They are proposing 299 new Kentucky resident jobs with an average annual salary of \$29,000 in wages. Judge Moore asked if there were any questions from the Court. Second reading and final action scheduled for May 3<sup>rd</sup>.

C. Judge Moore asked the Fiscal Court Clerk to read into the record the second reading of an Ordinance. AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, PROVIDING A CREDIT OF ITS OCCUPATIONAL LICENSE FEE FOR NEW EMPLOYEES AS PART OF AN ECONOMIC DEVELOPMENT PROJECT BY LYONS MAGNUS EAST, INC., UNDER THE KENTUCKY BUSINESS INVESTMENT (KBI) PROGRAM. Judge Moore explained this is another existing company expanding with a 40,000 sq. ft. building. They are providing 50 new Kentucky resident jobs with an average annual salary of \$28,000 in wages. Judge Moore asked if there were any questions. 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.

D. Judge Moore asked the Fiscal Court Clerk to read into the record the second reading of an Ordinance. AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, PROVIDING A CREDIT OF ITS OCCUPATIONAL LICENSE FEE FOR NEW EMPLOYEES AS PART OF AN ECONOMIC DEVELOPMENT PROJECT BY NEWLY WEDS FOODS UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM. Judge Moore explained the operations of this company. Jeff Earlywine, County Administrator commented they will bring 115 new Kentucky resident jobs with an average annual salary of \$52,000. This company purchased a large building that was empty. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

E. Judge Moore asked the Fiscal Court Clerk to read into the record the second reading of an Ordinance. AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, APPROVING WITH CONDITIONS, A REQUEST OF C&B SIGN SERVICES INC. (APPLICANT) FOR ALEX OTHMAN (OWNER) FOR A ZONING MAP AMENDMENT ESTABLISHING A SPECIAL SIGN DISTRICT FOR PROPERTY ZONED COMMERCIAL SERVICES (C-3) FOR AN APPROXIMATE 4.3 ACRE SITE LOCATED AT 571 AND 591 HUNTER DRIVE, BOONE COUNTY, KENTUCKY (AIRPORT SHELL/XPRESS PARK AND RIDE). Judge Moore explained this is the second reading for this Ordinance, the Staff is continuing to work on this project with some concerns about the signage and development of the area. Jeff Earlywine, County Administrator, asked to share some information with the Court. He indicated that the County values the work our Planning Commission does and we want to present some findings of fact on this request and other relevant information. The Staff would like to suggest three (3) additional conditions and relevant information in keeping in line with the other properties in the County. Judge Moore commented the request was for an excessive number of signs for the area, it being the front door for the Airport. Mr. Alex Othman, the owner of the property stated his goal was to let the public know he was in business. Judge Moore commented our responsibility is to create balance with the other businesses. Commissioner Flaig commented she had driven by the area and what is there fits the area. The Staff suggests approving the Planning Commission recommendation with an additional finding, based upon the record, and three (3) additional conditions:

**FINDINGS:**

1) "The Fiscal Court has concluded that the proposed signage is not entirely in agreement with the 2010 Boone County Comprehensive Plan. The Land Use Element in the 2010 Boone County Comprehensive Plan states "Developments in Boone County should give consideration to the overall design of the area. Design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention. The objective is to avoid the confusion and/or distraction of motorists and to avoid the potential negative impacts of signs on the visual appearance of a development or corridor" (Design, Signs, and Historic

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Preservation, p.142). The Applicant has not adequately demonstrated how the proposal supports this text, especially since the proposed pylon sign quantity, sizes, and heights far exceed the maximum normally permitted by code.

Furthermore, the court modified the planning commission report with the following conditions:

1. The two (2) proposed thirty (30) foot tall, sixty (60) square foot (three-sided) pole signs are disapproved.
2. The proposed twenty-two (22) foot tall, two hundred and eighty eight (288) square foot billboard-type sign is disapproved.
3. The proposed eight (8) foot tall, sixteen (16) square foot directional signs (two) shall be reduced to a single five (5) foot tall sign, not to exceed six (6) square feet in size.
4. The remaining signs, as recommended by the planning commission, are approved.

Judge Moore asked if there were any questions from the floor, none presented. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Resolution with the additional findings and conditions of approval. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

F. Judge Moore asked the Fiscal Court Clerk to read into the record the second reading of an Ordinance. AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, APPROVING WITH CONDITIONS, A REQUEST OF VIOX & VIOX, INC., ADRIAN YANES (APPLICANT) FOR DIOCESE OF COVINGTON C/O DON KNOCHELMANN (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM RURAL SUBURBAN ESTATES/UNION TOWN OVERLAY (RSE/UTO) TO PUBLIC FACILITIES (PF) FOR AN APPROXIMATE 29 ACRE SITE LOCATED AT 10262, 10272 AND 10300 U.S. 42, BOONE COUNTY, KENTUCKY (ST. TIMOTHY CHURCH). Judge Moore explained this is a zone change to allow the building of a school behind the Church. Judge Moore asked if anyone in the audience was opposed to the zone change, no one answered. Commissioner Flaig stated this is the first school in over 50 years for the Diocese and the County needs to stay on top to make the corridor work by having the State look at the traffic pattern. Judge Moore stated this is a State highway and they will study the lighting and signage. Commissioner Walton moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

G. Judge Moore asked the Fiscal Court Clerk to read into the record the second reading of an Ordinance. AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, APPROVING WITH CONDITIONS, A REQUEST OF VIOX & VIOX, INC. (APPLICANT) FOR ANSWERS IN GENESIS OF KY, INC. (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A PUBLIC FACILITIES (PF) ZONE FOR AN APPROXIMATE 47.215 ACRE SITE LOCATED AT 2800 BULLITTSBURG CHURCH ROAD, BOONE COUNTY, KENTUCKY; THE REQUEST OF VIOX & VIOX, INC. (APPLICANT) FOR ANSWERS IN GENESIS OF KY, INC. (OWNER) FOR A ZONING MAP AMENDMENT FROM RURAL SUBURBAN ESTATES (RSE) TO PUBLIC FACILITIES (PF) FOR A 1.17 ACRE SITE LOCATED AT 2754 DECK LANE, BOONE COUNTY, KENTUCKY; THE REQUEST OF VIOX & VIOX, INC. (APPLICANT) FOR ANSWERS IN GENESIS OF KY, INC. (OWNER) FOR A ZONING MAP AMENDMENT FROM RURAL SUBURBAN ESTATES (RSE) TO PUBLIC FACILITIES (PF) FOR A 2.06 ACRE SITE LOCATED AT 2924 BULLITTSBURG CHURCH ROAD, BOONE COUNTY, KENTUCKY; AND THE REQUEST OF VIOX & VIOX, INC. (APPLICANT) FOR KENNETH A. BRYAN AND RITA R. BRYAN (OWNERS) FOR A ZONING MAP AMENDMENT FROM RURAL SUBURBAN ESTATES (RSE) TO PUBLIC FACILITIES (PF) FOR THE NORTHERN 4.47 ACRES OF THE 6.89 TOTAL ACRE SITE LOCATED AT 2960 BULLITTSBURG CHURCH ROAD, BOONE COUNTY, KENTUCKY. Judge Moore explained this is the second reading when action may be taken and explained the process. The Planning Commission had an 8-6 vote to approve this Item. The Court has 120 days to act and if the Court does not act, the recommendation of the Planning Commission is approved. Judge Moore introduced Mr. Mike Zovath from Answers In Genesis. Mr. Zovath gave a summary of the application and project and stated they received a recommendation of approval from the Planning Commission. AIG wants to be a good neighbor. Judge Moore asked if there were any in attendance that opposed the project. Several residents spoke, Ms. Debbie Cummins, 4062 Petersburg Road; Ms. Ann Banja, 2966 Bullittsburg Church Road; Mr. James Smith, Rt. #20 & Bullittsburg Church Road; Ms. Mary Brady, 2947 Bullittsburg Church Road; Mr. Tim Davies, 2948 Bullittsburg Church Road. Judge Moore asked if there were questions from the staff or Commissioners. Jeff Earlywine, County Administrator, asked to present 3 possible conditions the Staff has prepared in addition to the 7 conditions from the Planning Commission based upon recurring comments from the Commissioners and the public.

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Those conditions are: 1) The developer agrees, at its own expense, to conduct a follow up traffic impact study relating to the project, two years following the opening of the museum expansion project. The developer and county shall jointly select a qualified traffic engineering firm to perform the study.

In the event that additional roadway improvements are warranted based upon the study, the developer and county will negotiate in good faith the scope of work, schedule and cost-sharing associated with said improvements.

2) The developer agrees, during peak museum attendance periods, to provide for special detail law enforcement and/or museum personnel to facilitate traffic movement into and around the museum parking facility to eliminate traffic back-up and queuing along Bullittsburg Church Road.

3) The developer agrees to direct all storm water runoff from new impervious areas internal to the development, and/or collect and convey said storm runoff to planned detention basins and natural drainage swales on the site.

Commissioner Walton asked a question about storm water runoff and made comments concerning the sewer, traffic and 250,000-300,000 more visitors. Judge Moore added the Health Department and EPA would aggressively address the sewer issues. Jeff Earlywine presented 3 additional conditions to be met for passage of the Ordinance. Commissioner Walton asked a question about payroll tax vs. property tax. Judge Moore asked about the number of special events. Jeff Earlywine commented, 50 outdoor evening events per year with a limit of 55 decibels of sound at the property line. Also discussed was landscaping, lighting and road improvement on Deck Lane. Paul Darpel from the audience asked if the property owners would be allowed to review the 3 new conditions and what happens if the conditions are not met. Commissioner Walton stated the concerns of the citizens here are legitimate. Judge Moore stated the additional conditions were added to protect the community if the project is approved. Judge Moore asked if anyone in the audience wanted to speak concerning the conditions. Mrs. Mary Brady commented 2 years was too long for the traffic study and how would it be enforced. Mr. James Smith also commented that 2 years was too long, there are homes close to the road and traffic does not stay within the speed limit. Jeff Earlywine explained the time frame of 2 years for the traffic study was to give enough time for the full effect of additional traffic generated by the expansion to be felt. Commissioner Kenner asked how close projections were when opening the museum. Mr. Zovath answered projections were for 400,000 visitors the first year and 404,000 visitors attended. Judge Moore asked if there was a long range master plan for the Petersburg location. Mr. Zovath responded, only the area west of the museum, zoned commercial but the owners are not selling. Judge Moore asked if the Court was ready to act. Commissioner Walton stated he would make the motion to include the additional conditions. Judge Moore explained there are 7 conditions the Developer agreed to originally and the Court is adding 3 conditions tonight. Commissioner Walton stated he was willing to make the Motion to approve and to agree to all 10 conditions. Judge Moore asked the Developer if the three (3) additional conditions were acceptable and the Developer indicated "Yes" on the record. Commissioner Kenner commented accepting the 10 conditions. Commissioner Walton moved, seconded by Commissioner Kenner, to approve the Resolution with the additional conditions. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 3-1. Commissioner Flaig asked to explain her No vote. She feels the project negatively impacts the area, the museum needs their own exit and 50 events a year at night are too many and the noise level, at 55 decibels, 1,000 cars will make noise.

**ITEM VI.**

**JUDGE'S REPORT**

A. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-43. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING SUSAN POSTON TO FILL THE UNEXPIRED TERM ON THE URBAN FORESTRY COMMISSION. Judge Moore commented Susan Poston has served for the County before on the Planning Commission. Commissioner Walton moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

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B. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-44. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING RICHARD KNOCK TO FILL THE UNEXPIRED TERM OF CHARLES CAIN TO THE BOONE-FLORENCE WATER COMMISSION. Judge Moore commented Mr. Knock is also on the Boone Water Commission and will be taking Mr. Charlie Cain's position who has asked to step down. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

**ITEM VII.**

**ADMINISTRATIVE MATTERS**

A. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-45. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT ACCEPTING THE ANNUAL FY2015 AUDIT OF THE ASSISTED HOUSING DEPARTMENT. Judge Moore introduced Ruth Tanner, Director of Assisted Housing to explain. Mrs. Tanner explained HUD requires the audit each year. Judge Moore added our Assisted Housing Department gets remarkable scores every year. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the Motion, ALL PRESENT VOTING 4-0.

B. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-46. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT, AUTHORIZING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO SIGN AND EXECUTE ANY AND ALL DOCUMENTS RELATED TO, AND TO APPROVE THE ASSISTED HOUSING ANNUAL PLAN. Ruth Tanner, Director of Assisted Housing explained each year the Department is required to submit a plan; we received no comments from the public. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the Motion, ALL PRESENT VOTING 4-0.

C. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-47. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING CONTRACT MODIFICATION #1 FOR ENGINEERING AND DESIGN SERVICES FOR THE VETERANS WAY CONNECTOR ROAD PROJECT. Scott Pennington, County Engineer commented this is for additional design services required for the Veteran's Way road project. Judge Moore added this is for the bid for construction which we hope to begin in the Fall of 2016. Construction will start on the #237 side and come to the Park. Commissioner Flaig asked about sidewalks for the project. Scott Pennington responded it will be a multi-use path, with a short sidewalk in front of IHM & the YMCA. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the Motion, ALL PRESENT VOTING 4-0.

D. Judge Moore asked if the Court would make a Motion to table Item VII. D. as there is more work that needs to be done for this item. Commissioner Kenner moved, seconded by Commissioner Walton, to table the Resolution. Judge Moore called for a vote on the Motion, ALL PRESENT VOTING 4-0.

F. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-49. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE REQUEST TO RETAIN THE MANAGEMENT SERVICES OF ATKINS-ELROD & ASSOCIATES, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO ASSIST THE COUNTY IN PLANNING, MONITORING AND MANAGING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR THE BRIGHTON RECOVERY KENTUCKY CENTER. Matthew Webster, Assistant County Administrator, explained the Staff sent out an RFP for the grant and 1 bid was submitted. We have assisted with this program since 20067. Judge Moore added that it is a requirement of the program to have a management company. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the Motion, ALL PRESENT VOTING 4-0.

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G. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-50. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE BID AWARD FOR A 2016 FORD EXPLORER TO HAAG FORD SALES, INC., FOR THE EMERGENCY MANAGEMENT DEPARTMENT. Jeff Earlywine, County Administrator commented this is a budgeted item to replace a vehicle. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the Motion, ALL PRESENT VOTING 4-0.

H. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-51. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AMENDING RESOLUTION 2016-30 FOR THE BID AWARD ON THE 2016 MITSUBISHI FORKLIFT FOR THE SOLID WASTE DEPARTMENT. Scott Pennington, County Engineer, explained this is the approved forklift paid for with a grant; some options were needed that were not included in the bid price. The additional options totaled over \$5,000 and are necessary; all but \$400 of the added expense is covered by a State Grant. Commissioner Flaig asked a question asked where the forklift was coming from. Scott Pennington responded, Equipment Depot. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the Motion, ALL PRESENT VOTING 4-0.

I. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-52. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE EMERGENCY PURCHASE OF A BUILDING INSPECTION VEHICLE FOR THE BOONE COUNTY BULDING INSPECTION DEPARTMENT FROM THE STATE PURCHASE CONTRACT MASTER AGREEMENT. Judge Moore explained this is a vehicle that Public Works has taken out of commission. Matthew Webster commented that the Fleet Department had 2 vehicles deemed unsafe to drive and were not able to repair. The Building Inspection Department has 5 vehicles for 8 staff members. Activity is ramping up for the summer thereby requesting an emergency purchase of 1 vehicle. A vehicle was found on the State Contract from a dealer in Lexington for the cost of \$23,400. Judge Moore added Mr. Bill Angel was in attendance if there were any questions. Commissioner Kenner commented the vehicle is needed. Commissioner Flaig asked a question to which Judge Moore responded. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the Motion, ALL PRESENT VOTING 4-0.

**ITEM VIII.**

**FISCAL MATTERS**

A. Judge Moore presented the Invoice Report dated April 5, 2016 and pre-paid Invoice Reports dated March 22<sup>nd</sup> and March 24<sup>th</sup>, 2016. Commissioner Kenner moved, seconded by Commissioner Flaig to approve the Invoice Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

B. Judge Moore presented the Golf Invoice Report dated April 5, 2016 and a pre-paid Golf Invoice Report for March 22<sup>nd</sup> and March 24<sup>th</sup>, 2016. Commissioner Walton moved, seconded by Commissioner Kenner to approve the Golf Invoice Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

**ITEM IX.**

**OLD BUSINESS**

Judge Moore asked if there was any Old Business to come before the Court. None presented.

**ITEM X.**

**NEW BUSINESS**

Judge Moore asked to recognize the Water Rescue Department for their participation in a recent accident in Campbell County and in retrieving the victim and vehicle from the river; the entire Water Rescue team was amazing, we want to thank them for their work. Carlisle Company provided the Barge and Crane; Marine Solutions of Lexington brought divers. Commissioner Walton added they are a very positive asset and Boone County is proud of the Water Rescue Team. Jeff Earlywine commented it was a whole team effort; Bob Neace our County Attorney was very helpful. Judge Moore asked if there was additional new business, none presented.

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**ITEM XI.**

**AJOURNMENT**

Judge Moore called for adjournment of the Fiscal Court Meeting. Commissioner Kenner moved, seconded by Commissioner Walton, to adjourn the meeting. ALL PRESENT VOTING AYE 4-0.

Next Fiscal Court Meeting will be Tuesday, April 19, 2016 @ 5:30 pm.

**CLERK CERTIFICATION**

I, Sharon Burcham, 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 April 5, 2016.

  
\_\_\_\_\_  
Fiscal Court Clerk

Date: 4-22-16