

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**June 21, 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. Judge Gary W. Moore 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. Gary Peace, Sheriff Department  
Sharon Burcham, Fiscal Court Clerk

**ITEM II.**

**APPROVAL OF MINUTES**

A. Commissioner Walton moved, seconded by Commissioner Kenner, to approve the Minutes from the June 7, 2016 Fiscal Court Meeting, with no changes. Judge Moore called for a vote on the motion, MOTION PASSED AYE 3-0, with Commissioner Flaig abstaining due to her absence on June 7, 2016.

**ITEM III.**

**PRESENTATIONS**

- A. None at this time.

**ITEM IV.**

**PERSONNEL MATTERS**

- A. None at this time.

**ITEM V.**

**ORDINANCES**

A. 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, OF THE FISCAL YEAR 2017 ANNUAL BUDGET AND APPROPRIATIONS. Judge Moore commented this Ordinance is from several months of work by our staff and all departments. A workshop was held for the Commissioners, first reading was given and now the second reading, the budget was posted on our website as well. There are a few minor changes. Jeff Earlywine, County Administrator, stated there are no material changes, the State suggested some mechanical changes involving the golf course support received from the general fund. Several additional final edits were reviewed as well. The recurring general fund is forecasted to go down. We are still on par with our year end budget forecast. Items that were not prefunded are the Hebron Sewer system and the Public Safety Communication system. Judge Moore responded this is a great report and asked if there were any questions from the audience, none presented. Commissioner Walton asked a question pertaining to the golf budget. Jeff Earlywine responded, the golf courses are substantially self-supporting. Judge Moore commented the County is investing in the property. Judge Moore asked for any other questions from the Staff, none presented; Judge Moore thanked the Staff for all their hard work. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

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**ITEM VI.**

**JUDGE'S REPORT**

A. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-118. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING CHRIS LANGE TO THE BOONE COUNTY PUBLIC LIBRARY BOARD OF TRUSTEES. Judge Moore explained the Court is responsible for appointing five (5) members to the Library Board of Trustees. This is a new member, replacing Mr. Jim Henning. Mr. Lange is a Boone County resident who lives in Hebron. Commissioner Walton moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

B. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-119. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING REBECCA LANCASTER TO THE PETERSBURG FIRE PROTECTION DISTRICT BOARD. Judge Moore commented Ms. Lancaster has served for many years and this is a re-appointment. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

C. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-120. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING JAMES W. BUTLER TO THE WALTON FIRE PROTECTION DISTRICT BOARD. Judge Moore commented Mr. Butler is the Chairman of the Walton Fire District Board and is a retired firefighter. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

D. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-121. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING JOHN PILE TO THE FLORENCE FIRE PROTECTION DISTRICT BOARD. Judge Moore commented, Mr. Pile is present this evening, he will be replacing Mr. Jan Wuchner, who asked to be replaced. We want to thank Jan Wuchner for his 18 years of service on the Florence Fire Board and look forward to John Pile serving. Commissioner Walton moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

E. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-122. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, BOONE COUNTY JUDGE/EXECUTIVE, APPOINTING BRITTANEY KING TO THE NORTHERN KENTUCKY AREA DEVELOPMENT DISTRICT COUNCIL ON AGING. Judge Moore explained this is a new name; Ms. King is an accountant and lives in Boone County. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

**ITEM VII.**

**ADMINISTRATIVE MATTERS**

A. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-123. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ANNUAL STANDING ORDER TO PRE-APPROVE CERTAIN RECURRING EXPENSES FOR FY 2016-17. Benjamin Reece, County Treasurer, commented this is an annual item the Department of Local Government requires for standard on-going expenses. Judge Moore asked if there were any new items on the list, Benjamin Reece responded, No, not in the last five years. Judge Moore asked if there were any questions from the Commissioners, none presented. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

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B. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-124. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT ADOPTING THE GOLF COURSE BUDGET FOR FISCAL YEAR 2016-17. Judge Moore explained this is the itemized budget for the Golf Courses. Commissioner Walton moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

C. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-125. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ANNUAL STANDING ORDER SETTING THE MAXIMUM NUMBER OF JAIL PERSONNEL. Judge Moore commented this is an annual item; the Court is required to set the maximum number of deputies for the Jail. We have over 500 prisoners with 45 full-time deputies and part-time employees. The jail is managed very efficiently. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

D. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-126. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDDING THE BID FOR THE SECTION 8 AUDIT FOR THE PERIOD ENDING JUNE 30, 2016 TO SAMMY K. LEE, P.S.C., FOR THE ASSISTED HOUSING DEPARTMENT. Judge Moore recognized Ruth Tanner, Director of Assisted Housing in the audience. This is a specialized audit to award the bid to Sammy K. Lee. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

E. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-127. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT ADOPTING AND APPROVING THE EXECUTION OF A COUNTY ROAD AID CO-OP PROGRAM AGREEMENT BETWEEN THE FISCAL COURT AND THE COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET, DEPARTMENT OF RURAL AND MUNICIPAL AID, FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, AS PROVIDED IN THE KENTUCKY REVISED STATUTES AND ACCEPTING ALL ROADS AND STREETS REFERRED TO THEREIN AS BEING A PART OF THE COUNTY ROAD SYSTEM. Judge Moore stated this is formula money for the upcoming year for road improvement. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

F. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-128. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT OF A VIEWING COMMITTEE, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, REGARDING THE REQUEST TO VACATE A PORTION OF AN "ALLEY" RIGHT-OF-WAY SOUTH OF THIRD STREET BETWEEN MILL STREET AND BROADWAY STREET IN PETERSBURG, BOONE COUNTY, KENTUCKY. Scott Pennington, County Engineer, explained this is a recent request to vacate an alley; it is one property owner on all sides. The Committee will be Commissioner Flaig, David Neff, and Scott Pennington. Signs are posted and a Notice was placed in the local newspaper. Judge Moore added this is just to appoint the Viewing Committee. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0. Commissioner Walton asked a question about work being done on Weaver Road in Florence. Scott Pennington responded he was not aware of what was being done. Judge Moore responded the work might involve utility moving for a bigger project.

G. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-129. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE BID AWARD FOR THE BOTTS LANE ROAD STABILIZATION PROJECT TO SCHERZINGER DRILLING, INC. Scott Pennington, County Engineer, explained this involves slipping on the side of Botts Lane. It was sent out to bid; we had to close the road until the work is complete. Judge Moore commented we received five bids for the work. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

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H. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-130. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE "PROPOSED ROJECT/EQUIPMENT PURCHASES DOJ EDWARD BYRNE MEMORIAL GRANT FY2016" FOR THE SHERIFF'S DEPARTMENT BODY CAMERAS. Judge Moore explained this is a grant to provide body cameras for the Deputies. Jeff Earlywine, County Administrator, added the County will apply for the grant, on behalf of the Sheriff's Department. Judge Moore responded this is the second group of cameras purchased. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

**ITEM VIII.**

**FISCAL MATTERS**

A. Judge Moore presented the Invoice Report dated June 21<sup>st</sup>, 2016 and pre-paid Invoice Reports dated June 9<sup>th</sup> and June 17<sup>th</sup>, 2016. Commissioner Kenner moved, seconded by Commissioner Walton 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 June 21<sup>st</sup>, 2016 and pre-paid Golf Invoice Reports dated June 9<sup>th</sup>, and June 17<sup>th</sup>, 2016. Commissioner Walton moved, seconded by Commissioner Flaig to approve the Golf Invoice Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

C. Judge Moore presented the Monthly Treasurer's Report and Interfund Transfer for May, 2016. Judge Moore asked Benjamin Reece, County Treasurer, if he had any comments. Benjamin responded, the County is required to have every line item in the positive at the end of the Fiscal Year. We are not over budget, just shifting line items. Judge Moore asked if there were any questions, none presented. Commissioner Flaig moved, seconded by Commissioner Kenner to approve the Treasurer's Report and Interfund Transfer for May, 2016. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

D. Judge Moore presented Fiscal Court Order #4 authorizing transfers. Commissioner Kenner moved, seconded by Commissioner Walton to approve Court Order #4. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

**ITEM IX.**

**OLD BUSINESS**

A. Judge Moore asked if there was any Old Business to come before the Court. Mr. Dave Huff of Riding Forward was present to ask the Court to allow a temporary liquor permit for a fund raising event; he is asking for a one time grant. Commissioner Flaig asked the date and time of the event. Mr. Huff responded. Commissioner Walton asked if the request was for liquor, Mr. Huff responded, strictly beer. Commissioner Flaig asked if the event was for adults, Mr. Huff responded the event is for all ages. Commissioner Walton asked how many people would be attending; Mr. Huff responded they are estimating 2,500 per day for the 2 day event. Commissioner Walton asked about sponsorships. Mr. Huff responded they have Van Melle Candy as a sponsor. Judge Moore stated an Ordinance is the current policy and explained what would be the process for changing the Ordinance, the time limits involved. Jeff Earlywine, County Administrator, added the Court would need to discuss dates and make appropriate decisions accordingly. Judge Moore commented there is no guarantee. Permits would be needed from the State and County for the special event and ABC would be involved. Mr. Huff had an example Addendum from Campbell County. Commissioner Flaig asked Robert Neace, County Attorney, if this had been done before in other Counties. Robert Neace responded, he was not aware of other Counties amending an Ordinance of this type. Judge Moore commented it is not permitted until the Ordinance is changed, the Court could not vote tonight until going through the process to amend or not. Judge Moore thanked Mr. Huff for attending.

**ITEM X.**

**NEW BUSINESS**

Judge Moore asked if there was any New Business to come before the Court. Jeff Earlywine, County Administrator, mentioned the Administration Code was to be updated by statute during the month of June. We are making some minor changes before presenting it to the Court.

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**ITEM XI.**

**AJOURNMENT**

Judge Moore reminded the public of the Farm Tour this Saturday, June 25<sup>th</sup>. The farms are listed on the County website. There will be a Special Meeting for Fiscal Court on Thursday, June 30<sup>th</sup> for paying invoices, this will be the only item on the Agenda and the regular Fiscal Court meeting will be Tuesday, July 5, 2016. Taste of Boone County is this Saturday, June 25<sup>th</sup> at Turfway Park. Judge Moore called for adjournment of the Fiscal Court Meeting. Commissioner Walton moved, seconded by Commissioner Kenner, to adjourn the meeting. ALL PRESENT VOTING AYE 4-0.

**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 June 21, 2016.



Fiscal Court Clerk

Date: July 6, 2016