

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**July, 11 2017**  
**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 E. 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  
Robert Neace, County Attorney

Staff: Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive  
Matthew H. Webster, Assistant County Administrator  
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. Judge Moore presented the Minutes from the June 20, 2017 Fiscal Court Meeting for approval. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Minutes from the June 20, 2017 Fiscal Court Meeting, with no changes. Judge Moore called for a vote on the motion, MOTION PASSED AYE 4-0.

B. Judge Moore presented the Minutes from the Special Meeting of June 30, 2017 for approval. Commissioner Walton moved, seconded by Commissioner Flaig, to approve the Minutes from the June 30, 2017 Special Fiscal Court Meeting, with no changes. Judge Moore called for a vote on the motion, MOTION PASSED AYE 3-0. Judge Moore abstained from voting as he was absent June 30, 2017.

**ITEM III.**

**PRESENTATIONS**

A. Judge Moore read a Proclamation declaring the month of July as National Recreation and Parks Association Month. Judge Moore presented David Whitehouse, Director of Parks, the Proclamation.

**ITEM IV.**

**PERSONNEL MATTERS**

A. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV. A: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF GARLIN ABRAMS TO THE POSITION OF SIGN SHOP TECHNICIAN FOR THE PUBLIC WORKS DEPARTMENT. Lori Zombek, Director of Human Resources, commented this candidate has a graphic design education. 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.

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B. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV. B: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF ELIZABETH SLOANE LEE TO THE FULL-TIME POSITION OF ANIMAL CARE AND CONTROL VOLUNTEER MANAGER AT THE BOONE COUNTY ANIMAL SHELTER. Lori Zombek, Director of Human Resources, commented this is a newly approved position. This candidate has worked four years as a vet tech at the Shelter. 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.

C. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV. C: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF CHRIS KNAPMEYER TO THE SEASONAL POSITION OF PUBLIC SERVICES LABORER FOR THE PUBLIC WORKS DEPARTMENT. Lori Zombek, Director of Human Resources, commented this candidate was working in Solid Waste and is transferring to Public Works, this position is a part-time. 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 V.**

**ORDINANCES**

A. Judge Moore asked the Fiscal Court Clerk to read into the record the First Reading of Item V. A: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, APPROVING THE REQUEST, WITH CONDITIONS, OF GOLDEN MASONRY HOMES (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A RURAL SUBURBAN (RS) ZONE FOR AN APPROXIMATE 3.4 ACRE SITE GENERALLY LOCATED ON THE SOUTHEAST CORNER OF THE BULLITTSVILLE ROAD/CORNERSTONE DRIVE, BOONE COUNTY, KENTUCKY, (LOTS 1 THROUGH 7 CORNERSTONE ESTATES SUBDIVISION). THE REQUEST IS FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN TO MODIFY A PREVIOUS CONDITION OF APPROVAL TO ALLOW SEVEN HOMES TO FACE CORNERSTONE DRIVE INSTEAD OF BULLITTSVILLE ROAD. Mitch Light from the Planning Commission stated this is a new owner of the property and stated the lots would be purchased if they were allowed to face the subdivision. Judge Moore asked what the vote was from the Planning Commission, Mitch stated, the votes were unanimous. Commissioner Flaig asked a question concerning the berm, Mitch responded. Judge Moore state the second reading would be August 8<sup>th</sup> and thanked Mitch Light for attending.

**ITEM VI.**

**JUDGE'S REPORT**

A. Judge Moore stated there was nothing to Report at this time.

**ITEM VII.**

**ADMINISTRATIVE MATTERS**

A. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. A: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING A CONTRACT TO PURCHASE PROPERTY FROM THE MOST REVEREND ROGER JOSEPH FOYS, BISHOP OF THE DIOCESE OF COVINGTON, FOR THE PURPOSE OF CONSTRUCTION OF THE VETERAN'S WAY TRANSPORTATION PROJECT. Judge Moore explained this Contract is for the Veteran's Way project, this is the final parcel before we offer the bid and move to construction. Jeff Earlywine, County Administrator, stated this parcel contains 32,000 square feet at an appraised value of \$19,500 which is what the property was purchased for. 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.

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B. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. B. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE TO SUBMIT TO THE KENTUCKY DEPARTMENT FOR LOCAL GOVERNMENT AN APPLICATION FOR \$1,000,000 IN COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR THE EVERGREEN/RIDGE VIEW DRIVE SANITARY SEWER PROJECT IN BOONE COUNTY. Judge Moore stated the public meeting and a public hearing has been held, our Fiscal Agent is present. This will allow the County to move forward with requesting the grant. Jeff Earlywine, County Administrator, commented the County's commitment would be \$175,000.00 for design and engineering; \$200,000.00 capital contribution and the balance financed by the County, for the property owners at 1% interest over 20 years would be about \$40-\$45 per month per home. Judge Moore stated this is contingent to getting the Grant. Commissioner Walton stated he was recusing himself from Items B & C due to family members and himself owning rental property in the neighborhood. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 3-0 with 1 abstention. Commissioner Walton abstained.

C. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. C: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING AN AGREEMENT WITH THE KENTUCKY INFRASTRUCTURE AUTHORITY, APPROVING AN MOA TO REASSIGN FUNDS TO THE EVERGREEN/RIDGE VIEW DRIVE SEWER PROJECT, AUTHORIZING THE AMENDMENT OF THE LOCAL PROJECT BUDGET AND AUTHORIZING A REPRESENTATIVE TO EXECUTE ALL RELATED DOCUMENTS. Jeff Earlywine, County Administrator, stated funding was requested for the County from HB 303, which are un-used funds from the State. Commissioner Flaig asked a question, Jeff Earlywine, responded. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 3-0 with 1 abstention. Commissioner Walton abstained from voting.

D. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. D: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ADOPTION OF THE NORTHERN KENTUCKY REGIONAL HAZARD MITIGATION PLAN IN ACCORDANCE WITH THE FEDERAL DISASTER MITIGATION ACT OF 2000. Judge Moore introduced Mark Ihrig, Director of Emergency Management. Mark explained this is to approve the 2017 Hazardous Mitigation Plan. The purpose of the plan is to set up measures to reduce the impact of emergencies. Judge Moore added that planning and resources are essential to the safety of our community. 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 Item VII. E: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING A PERPETUAL EASEMENT TO DUKE ENERGY KENTUCKY, INC., FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY AND TECHNOLOGICAL PURPOSES AT THE LASSING SALT DOME IN UNION. Scott Pennington, County Engineer, stated the salt dome is currently under construction and this will grant an easement to run the electrical power underground. 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.

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F. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. F. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO REVIEW AND EXECUTE A CONTRACT FOR POLICE SERVICES BETWEEN THE COUNTY AND THE BOONE COUNTY SHERIFF'S DEPARTMENT PURSUANT TO KRS 23A.206 AND 24A.176. Judge Moore explained this is the Agreement that we vote on annually, House Bill 413, which allows the County Sheriff to contract with Fiscal Court to provide law enforcement for the County over above the normal requirement of the Sheriff Department for reimbursement, it qualifies us for a State pool of money for law enforcement. 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.

G. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. G: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE COUNTY TO ACCEPT THE OWNERSHIP, MAINTENANCE RESPONSIBILITIES AND TITLE TO THE RIGHT-OF-WAY OF RECONSTRUCTED SEGMENTS OF NORTH TIBURON DRIVE TO PROVIDE ACCESS TO RESIDENTS AND BUSINESSES IN BOONE COUNTY. Scott Pennington, County Engineer, stated this is the widening of Mt. Zion Road, the County needs to take responsibility of new pieces of road. Commissioner Flaig asked a question about it being an intersection, Scott Pennington responded. Judge Moore explained the property is between Highland and Tiburon. 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.

H. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. H: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING A LIST OF PROFESSIONAL ENGINEERING FIRMS TO PROVIDE PROFESSIONAL SERVICES FOR VARIOUS CAPITAL PROJECTS AND SERVICE DELIVERY NEEDS OF THE COUNTY FOR THE NEXT TWO (2) YEAR PERIOD. Judge Moore explained having these firms selected will increase efficiency and timing of getting projected approved. Scott Pennington, County Engineer, added the County received 24 bids. Discussion was had explaining the process of using the firms and bidding for projects. Judge Moore explained these firms are only for engineering services. 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.

I. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. I: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDED THE BID FOR TWO (2) 39,000 LB SINGLE-AXLE DUMP TRUCKS WITH A 10' SNOW PLOW AND V-BOX AT THE BID PRICE OF \$150,333.00 EACH FOR A TOTAL BID AMOUNT OF \$300,666.00 TO THE FYDA FREIGHTLINER COMPANY FOR THE PUBLIC WORKS DEPARTMENT. Scott Pennington, County Engineer, explained this purchase is currently in the Budget, the County put out bids with Kenton County and Campbell County to get the best price. Freightliner was the low bidder. Commissioner Walton asked about the life usage of these trucks, Bill Angel, Fleet Director, responded over 100,000 miles. Discussion was had on the double frame and its advantages. Judge Moore commented the old trucks would be sold as surplus. 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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**ITEM VIII.**

**FISCAL MATTERS**

A. Judge Moore presented the Invoice Report dated July 11, 2017 and a pre-paid Invoice Report dated July 6th, 2017. 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 July 11, 2017 and a pre-paid Golf Invoice Report dated July 6th, 2017. Commissioner Flaig moved, seconded by Commissioner Walton 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 if there was any new business to come before the Court. Just Moore stated he wanted to introduce Kathy Reutman from Boone County Schools. Ms. Reutman wanted to ask the Court to help the Early Learning Center, a new center on Ewing Boulevard. This facility is for at-risk youth to prepare them for kindergarten. The outdoor learning facility fencing and pavement does not meet the qualification of the Grant. The center is in need of \$25,000.00. Discussion on what the center provides. Commissioner Walton and Commissioner Kenner both voiced their support. Judge Moore asked if the total cost needed was \$25,000.00. Kathy Reutman responded. Commissioner Flaig asked the number of children attending. Kathy Reutman responded they have 35 now but can enroll 80 students. Jeff Earlywine, County Administrator, stated this money has not been approved from our Budget; it would come from Fund 97 which is available for projects. Judge Moore asked if the Court would entertain a Motion. Commissioner Walton made the Motion to allocate up to \$23,000 with a minimum of \$12,500 for the Boone County Schools Early Learning Center located on Ewing Boulevard for outdoor classroom to be pulled from Fund 97. Commissioner Kenner seconded the Motion. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

Commissioner Flaig announced that Immaculate Heart of Mary Church is having their festival this weekend.

Judge Moore announced that Boone County will have a Northern Kentucky Addiction Hotline Door 2 Door event this Saturday, July 15<sup>th</sup>. They are in need of volunteers in the Burlington and Hebron area. Come to the Sheriff's Office from 8:00 – 9:00 AM to sign up. The 24 hour helpline phone number is on the door hanger along with other information.

**ITEM XI.**

**CLOSED EXECUTIVE SESSION**

A. Judge Moore announced the Court would be moving into Closed Executive Session to discuss pending and proposed litigation involving the County per KRS 61.810(1)(c). There would be no action taken by the Court after the Executive Session. Commissioner Walton moved, seconded by Commissioner Flaig to go into Executive Session. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

At the conclusion of the Executive Session, Commissioner Kenner moved, seconded by Commissioner Flaig to end the Executive Session. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

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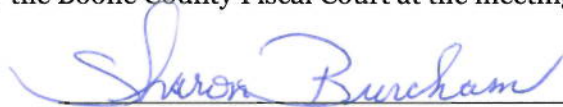
**ITEM XII.**

**ADJOURNMENT**

Judge Moore called for adjournment of the Fiscal Court Meeting. Commissioner Kenner moved, seconded by Commissioner Flaig, 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 July 11, 2017.

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

Date: 26 July 2017