

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**December 5, 2017**  
**8:30 A.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.
- C. Legal Notice acknowledging time change of Meeting, Judge Moore presented.

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  
Scott Pennington, County Engineer  
Benjamin T. Reece, Treasurer  
Lori Zombek, Director of Human Resources  
Maj. Bill Mark, Sheriff Department  
Sharon Burcham, Fiscal Court Clerk

**ITEM II.**

**APPROVAL OF MINUTES**

A. Judge Moore presented the Minutes from the November 21, 2017 Fiscal Court Meeting for approval. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Minutes from the November 21, 2017 Fiscal Court Meeting, with no changes. Judge Moore called for a vote on the motion, MOTION PASSED AYE 4-0.

**ITEM III.**

**PRESENTATIONS**

- A. There were no Presentations at this time.

**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 DIANE MEYER TO THE FULL TIME POSITION OF LICENSE COORDINATOR IN THE OCCUPATIONAL LICENSE TAX DEPARTMENT. Lori Zombek, Director of Human Resources, stated this is a current employee in HR moving to Occupational License filling a vacancy due to retirement. 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.

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 JACQUELIN SLAUGHTER TO THE POSITION OF PART-TIME RECEPTIONIST FOR THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek, Director of Human Resources, commented this is for an afternoon receptionist. The applicant is coming from the High School program. 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 V.**

**ORDINANCES**

A. Judge Moore asked the Fiscal Court Clerk to read into the record the Second Reading of Item V. A: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT ADOPTING THE STATEMENT OF GOALS AND OBJECTIVES FOR THE 2017 BOONE COUNTY COMPREHENSIVE PLAN AS PART OF THE REVIEW OF THE CURRENT 2010 BOONE COUNTY COMPREHENSIVE PLAN THAT WAS ADOPTED IN 2012. Judge Moore stated this is the Plan for the County in how we grow and where we grow. We approve goals and objectives; this is a guideline to help in planning and growth. Jeff Earlywine, County Administrator, commented this also allows the County to make sure our goals are up to date. Judge Moore asked if there were any questions and called for a vote on the Ordinance, Commissioner Kenner moved, seconded by Commissioner Walton, to approve the Ordinance. 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 the Second Reading of Item V. B: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING, WITH CONDITIONS, A REQUEST OF STEVE BERLING (APPLICANT) FOR DAVE KROTH (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM AGRICULTURAL ESTATE (A-2) TO SUBURBAN RESIDENTIAL ONE (SR-1) FOR A 17 ACRE SITE GENERALLY LOCATED AT THE TERMINUS OF MCGUIRE LANE AND TO THE EAST OF THE PROPERTIES AT 6713, 6717, 6721, 6725, 6729, 6733, 6737, 6741, 6745, 6749, 6753, 6757 AND 6761 GORDON BOULEVARD AND 600 MCGUIRE LANE, TO THE SOUTH OF THE PROPERTIES AT 605 AND 609 MCGUIRE LANE AND 623, 627, 631, 635, 639, 643 AND 647 MAKAYLA COURT, AND TO THE SOUTH AND EAST OF THE PROPERTY AT 601 MCGUIRE LANE, BOONE COUNTY, KENTUCKY. Judge Moore stated there was a presentation and first reading on this extension of an existing community. This does include conditions of approval. Judge Moore asked if there were any questions and called for a vote on the Ordinance, with the Conditions, 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.

**ITEM VI.**

**JUDGE'S REPORT**

A. Judge Moore asked the Fiscal Court Clerk to read into the record Item VI. A: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE RE-APPOINTMENT BY GARY W. MOORE, COUNTY JUDGE-EXECUTIVE, OF PAUL DONALDSON TO THE BOONE COUNTY EXTENSION DISTRICT BOARD. Judge Moore stated this is a re-appointment. Mr. Donaldson is very thorough and does his homework for this Board. 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 Item VI. B: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT BY GARY W. MOORE, COUNTY JUDGE-EXECUTIVE, OF MARY ALICE GRUDEN TO THE BOONE COUNTY EXTENSION DISTRICT BOARD. Judge Moore stated there is an opening for this seat. Rebecca Jones has done an amazing job but asked to step down. By Statute the Council selects names and submits them to our office. This applicant has a passion for horticulture and the arboretum. 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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**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 AN AGREEMENT AND SETTLEMENT WITH DAVID AND ERIN NEFF AS IT RELATES TO THE DISPOSITION OF FLOOD-DAMAGED PROPERTY LOCATED AT 2501 PETERSBURG ROAD. Jeff Earlywine, County Administrator, explained this involves a life-long resident of Boone County and a Public Works employee. They purchased the home in 2002 but Mr. Neff has lived there almost his entire life. In June of 2009 they experienced a major flood event, in April 2011, another flood, 4 days later a 2<sup>nd</sup> flood event. In August, 2016 another flood. In 2014 the County involved a Consulting Engineering Firm to analyze the watershed area. 3 options were considered. The Staff recommends the best and most cost effective option is to purchase the property at \$167,500. The County appraisal came back at \$165,000 and the homeowner appraisal came back at \$170,000. This is not in our budget. The Staff will ask the County Attorney to prepare all documents. Judge Moore commented that the County has had discussions for years about storm water. Commissioner Flaig asked a question about surrounding developments, Jeff Earlywine responded. Commissioner Walton asked a question about storm water, Jeff Earlywine and Scott Pennington responded. Discussion occurred about 100 year storms and storm water detention. 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.

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 EXECUTE AN AGREEMENT BETWEEN BRIGHTON RECOVERY CENTER LIMITED PARTNERSHIP AND BOONE COUNTY FISCAL COURT. Judge Moore explained this is the facility on Weaver Road which is operated by Brighton Center with funding from the State. Matthew Webster, Assistant County Administrator, commented this is a multi-step process. The grant application was for \$220,000 and we received \$200,000. Judge Moore added the County does not make up the difference. Commissioner Flaig asked a question, Matthew Webster responded. 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 Item VII. C: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE TO EXECUTE A MEMORANDUM OF AGREEMENT BETWEEN THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET AND THE BOONE COUNTY FISCAL COURT FOR THE FEDERAL FUNDING OF THE BURLINGTON MULTI-USE PATH IN BOONE COUNTY. Judge Moore explained this is for sidewalks and multi-use paths. Scott Pennington, County Engineer, stated this involves federal and state funds for sidewalk projects for design funds. Judge Moore stated a lot of connections are being planned for multi-use paths. Commissioner Flaig asked a question, Scott Pennington responded. 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.

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 DECLARING ONE (1) AUTO/TRUCK LIFT, ONE (1) SKID OF SEATS AND CONSOLES AND ONE (1) 2011 FORD CROWN VICTORIA AS SURPLUS PROPERTY FOR THE PUBLIC WORKS DEPARTMENT. Scott Pennington, County Engineer, commented these are miscellaneous items along with 1 Crown Vic automobile. All items will be placed on GovDeals.com. 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.

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**ITEM VIII.**

**FISCAL MATTERS**

A. Judge Moore presented the Invoice Report dated December 5<sup>th</sup>, 2017 and pre-paid Invoice Report dated November 30<sup>th</sup>, 2017 and stated the Reports can be found on OpenGov.com. Commissioner Flaig 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 December 5<sup>th</sup>, 2017 and pre-paid Golf Invoice Report dated November 30<sup>th</sup>, 2017. Commissioner Kenner 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

**ITEM IX.**

**OLD BUSINESS**

Judge Moore asked if there was any Old Business to come before the Court. Jeff Earlywine, County Administrator, gave an update on the Hebron sewer project stating SD1 has completed all the design work; they have acquired all but 2 of the 40 easements. There are 3 phases to this project and the first phase is ready to begin construction at any time. Commissioner Flaig asked a question about the Taylorsport pump station, Jeff Earlywine responded. Judge Moore stated the County loaned SD1 funds to complete the project but SD1 will use their money first and use our money at the end of the project only if needed.

**ITEM X.**

**NEW BUSINESS**

Judge Moore asked if there was any New Business to come before the Court. A question was asked about the construction on Route #20. Scott Pennington, County Engineer, responded stating KYTC is doing pipe work on #20 and added that every Friday afternoon KYTC lists all the projects for the coming week on their website.

**ITEM XI**

**ADJOURNMENT**

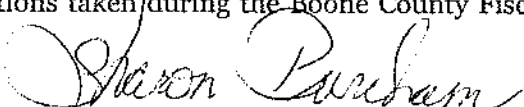
Judge Moore called for adjournment of the Fiscal Court Meeting. Commissioner Kenner moved, seconded by Commissioner Walton, to adjourn the meeting. ALL PRESENT VOTING AYE 4-0.

**ANNOUNCEMENTS:**

December 14<sup>th</sup> & 15<sup>th</sup> - Breakfast with Santa – register on-line with Parks Department

**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 during the Boone County Fiscal Court meeting of December 5, 2017.

  
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Fiscal Court Clerk

Date: 20 Dec 2017