

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
November 27, 2018
5:30 P.M.

ITEM I.

CALL TO ORDER

- A. Judge/Executive Gary W. Moore Called to Order the meeting of the Boone County Fiscal Court
- B. Commissioner Cathy H. Flaig 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 - absent
Robert Neace, County Attorney

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

ITEM II.

APPROVAL OF MINUTES

A. Judge Moore presented the Minutes from the November 13th, 2018 Fiscal Court Meeting for approval. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Minutes from the November 13th, 2018 Fiscal Court Meeting, with no changes. Judge Moore called for a vote on the motion, MOTION PASSED AYE 3-0.

ITEM III.

NOTICE OF SPECIAL HEARING

Judge Moore asked the Fiscal Court Clerk to read into the record the Notice of Special Hearing: NOTICE OF VIOLATION OF COUNTY ORDINANCE REGARDING: Property located in Boone County, Kentucky at 5911 Carlton Drive Burlington, KY 41005. The property listed above has been determined to be in violation of Boone County Ordinance Chapter 150 subsections 150.06-150.68, Repair, Condemnation or Demolition of Structures Unfit for Human Habitation, based on a report to the County Code Enforcement Office and visual confirmation by a County Code Official.

A Notice of Violation pertaining to this address was published on October 25, 2018. This second notice is intended to inform the property owners that a hearing regarding the existing condition(s) that are in violation of the County Ordinance is scheduled for November 27, 2018 at 5:30pm before the Boone County Fiscal Court in the Fiscal Courtroom at 2950 Washington Street, Burlington, KY 41005. Anyone having a property interest in this address should contact the Boone County Code Enforcement Office at 859-334-3600 within fourteen (14) days to be noticed of the violation, the hearing and further action that may be taken pursuant to the Boone County Code of Ordinances and the Kentucky Revised Statutes. Jeff Earlywine, County Administrator, stated the hearing had been advertised, the property has been deemed a hazard and threat to the public's safety. The County does not have a Code Enforcement Board but Chapter 93 and Chapter 150 of the Administrative Code states violations. Mr. Nick Wilson from the Planning Commission provided slides of the property, findings based on visual inspection and complaints by neighbors. Judge Moore stated the Court will recommend abating the safety concerns by passage of a Resolution and to safely secure the property. Judge Moore asked if there was anyone present in the audience concerning this matter, none presented. Judge Moore closed the Special Hearing.

Judge Moore asked the Fiscal Court Clerk to read into the record Item VIII. I. pertaining to the Special Hearing: A RESOLUTION OF THE BOONE COUNTY FISCAL COURT DETERMINING 5911 CARLTON DRIVE IN BURLINGTON, KENTUCKY, TO BE AN UNFIT STRUCTURE PURSUANT TO SECTIONS 150.60-150.68 OF THE BOONE COUNTY, KENTUCKY CODE OF ORDINANCES. Jeff Earlywine, County Administrator, stated the Staff would take necessary steps

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to secure the property and prevent trespassing and a fence around the pool. Commissioner Flaig asked a question, Mr. Nick Wilson responded. Commissioner Kenner asked about a lien on the property. A discussion on the proper closing of the pool followed with Mr. Jerry Noran, Chief Building Inspector, offering insight. Judge Moore stated the Staff would move forward with the plan and called for a Motion. 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.

ITEM IV.

PRESENTATIONS

A. Judge Moore introduced Mr. Jason Reed, President of the Board for the Emergency Shelter of Northern Kentucky. Mr. Reed presented an update to the Court stating the Shelter was 95% privately funded. In 2018 The Court provided \$12,000 to the Emergency Shelter and 21 adults from Boone County were sheltered. A goal of the Shelter is to move folks to permanent housing with their Summer Program. Commissioner Flaig asked a question about funding, Mr. Reed responded. Judge Moore asked if the Shelter had any requests for the Court, Mr. Reed responded, to build a homeless shelter in the County and continue financial support. Judge Moore asked what the greatest obstacle is, Mr. Reed responded, the lack of affordable housing.

ITEM V.

PERSONNEL MATTERS

A. There were no Personnel Matters.

ITEM VI.

ORDINANCES

A. There were no Ordinances presented.

ITEM VII.

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 OF COUNTY JUDGE/EXECUTIVE GARY W. MOORE AND COMMISSIONER CATHY H. FLAIG, TO THE OHIO-KENTUCKY-INDIANA (OKI) REGIONAL COUNCIL OF GOVERNMENTS BOARD OF TRUSTEES. Judge Moore stated that a Judge/Executive and Commissioner from each County is required to be on the OKI Board. 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.

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 RE-APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF PAT WINGO, LISA HOFFMAN AND THOMAS SCHIFFER TO THE BOONE COUNTY HISTORIC PRESERVATION REVIEW BOARD. Judge Moore stated these applicants want to continue serving. 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.

C. Judge Moore asked the Fiscal Court Clerk to read into the record Item VI. C: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE RE-APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF GREG BREETZ, DAVID BROWN, HARVEY RICHARDSON AND JESSE SHIPP TO THE AVIATION NOISE ABATEMENT COMMITTEE. Judge Moore stated these are re-appointments. 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.

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D. Judge Moore asked the Fiscal Court Clerk to read into the record Item VI. D: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE RE-APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF JASON ROBERTS AND JAMES FAUSZ TO THE BOONE COUNTY URBAN FORESTRY COMMISSION. Judge Moore stated the Urban Forestry Commission is responsible for the landscaping at the new Bridge at Burlington. There are many more new road projects in the County for them to landscape. 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.

E. Judge Moore asked the Fiscal Court Clerk to read into the record Item VI. E: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE RE-APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF KATHY REUTMAN-BRYANT TO THE TAX ADVISORY BOARD ON INTELLECTUAL DISABILITY. Judge Moore stated Ms. Reutman-Bryant is the School Board representative. 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.

F. Judge Moore asked the Fiscal Court Clerk to read into the record Item VI. F: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE RE-APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF MICHAEL DUNCAN TO THE BOONE COUNTY ETHICS COMMISSION. Judge Moore stated Mr. Duncan is an attorney that is the Chairman of the Ethics Commission. 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.

ITEM VIII.

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, AUTHORIZING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO SIGN AND EXECUTE ANY AND ALL DOCUMENTS RELATED TO APPROVING THE ASSISTED HOUSING MODIFICATIONS AND UPDATES TO THE CURRENT ADMINISTRATIVE PLAN. Ruth Tanner, Director of Assisted Housing explained this is to modify the Administrative Plan to adjust the project based vouchers. 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.

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 SIGN AND EXECUTE ANY AND ALL DOCUMENTS RELATED TO, AND TO APPROVE THE ASSISTED HOUSING ANNUAL PLAN FOR FY2019. Ruth Tanner, Director of Assisted Housing stated this would update the Annual Administrative Plan to reflect the vouchers. 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.

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 THE GRANT AGREEMENT FOR THE BRIGHTON RECOVERY CENTER FOR WOMEN RECOVERY KENTUCKY PROJECT IN BOONE COUNTY. Judge Moore introduced Anita Prater, Director of the Brighton Center and Dennis Elrod, the Agent for the Grant. Matthew Webster, Assistant County Administrator, stated this is to approve the Agreement for the CDBG in the amount of \$200,000.00. The County is just the pass through for the funds. 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.

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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 AWARDING THE BID FOR CONSTRUCTION OF SIDEWALKS ON BOTH SIDES OF OLD UNION ROAD TO JEFFERSON CONTRACTING, LLC, AT THE BID PRICE OF \$136,742.70. Jeff Earlywine, County Administrator, stated the County is partnering with the City of Union on this project. Jefferson Contracting was the lowest bidder. The City of Union portion will be \$57,143.00 and the County will pay \$79,599.70. Scott Pennington, County Engineer, stated this project should be complete by May or June of 2019. 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.

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 AUTHORIZING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 3 WITH THE COMMONWEALTH OF KENTUCKY AND BOONE COUNTY FOR THE RECONSTRUCTION OF CAMP ERNST AND LONGBRANCH ROADS IN BOONE COUNTY. Judge Moore commented this Agreement will move the project into the construction phase. Scott Pennington, County Engineer, stated this project began in December of 2013, using federal funds and a 20% match from the County. It will be out to bid by the end of this year and construction will begin in 2019. 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.

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 AWARDING THE BID FOR A DESIGN BUILD PROJECT FOR MINIATURE GOLF TO ADVENTURE GOLF SERVICES FOR THE BOONE COUNTY GOLF COURSES. Matthew Webster, Assistant County Administrator, explained this is a capital investment project that will bring increased revenue. This is an approved budget item included in the golf renovation plan. 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.

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 AWARDING THE BID FOR CAPITAL CAMPAIGN CONSULTANT SERVICES TO CONVERGENT NONPROFIT SOLUTIONS FOR THE DEVELOPMENT OF THE NEW ANIMAL SHELTER. Matthew Webster, Assistant County Administrator, explained an analysis was performed on the existing Shelter. An RFP was sent out for consulting services and it was unanimous by the team with very favorable references to accept Convergent. This will be done in two phases, 1) support from the community and 2) giving capacity. Private funds were donated to pay for the Consultant Services. 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.

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 AWARDING THE BID FOR VENDING SERVICES TO A.Y.S.V. FOOD SERVICE INCORPORATED, FOR TEN (10) MACHINES. Lori Zombek, Director of Human Resources, stated bids went out in October, with no response. New bids were taken and three received. These machines are for the Administration Building and the Justice Center. 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.

ITEM VIII.

FISCAL MATTERS

A. Judge Moore presented the Invoice Report dated November 27th, 2018 and pre-paid Invoice Reports dated November 15th and November 20th, 2018. 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 3-0.

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B. Judge Moore presented the Golf Invoice Report dated November 27th, 2018 and pre-paid Golf Invoice Reports dated November 15th and November 20th, 2018. Commissioner Flaig moved, seconded by Commissioner Kenner to approve the Golf Invoice Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 3-0

C. Judge Moore presented the Monthly Treasurer and Interfund Transfer Report ending October 31, 2018. Commissioner Flaig moved, seconded by Commissioner Kenner to approve the Golf Invoice Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 3-0

ITEM IX. **OLD BUSINESS**

Judge Moore asked if there was any Old Business to come before the Court. Jeff Earlywine, County Administrator, stated the Department of Local Government has issued the Order for the issuance of the Bonds for the renovation of the Golf Course. He attended a hearing in Frankfort on November 8th to approve the issuance of the Bonds. The Bonds will sell the middle of December and close by the end of December. Judge Moore asked for a Motion to accept the issuance of the Bonds. Commissioner Flaig moved, seconded by Commissioner Kenner to approve the Golf Invoice Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 3-0.

ITEM X. **NEW BUSINESS**

Judge Moore asked if there was any New Business to come before the Court. Commissioner Kenner commented on the Christmas Light show being presented at the Boone County Fairgrounds.

ITEM XI. **ADJOURNMENT**

Judge Moore called for Adjournment of the Fiscal Court Meeting. Commissioner Flaig moved, seconded by Commissioner Kenner, to adjourn the meeting. ALL PRESENT VOTING AYE 3-0.

NEXT FISCAL COURT MEETING - Tuesday, December 4th, 2018 at 5:30 PM.

CLERK CERTIFICATION

I, Sharon Burcham, 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 November 27th, 2018.


Fiscal Court Clerk

Date: 12-5-18

ANNOUNCEMENTS:

Judge Moore announced the County Tree Lighting ceremony will be Friday, December 7th at 6:00 here at the Administration Building.