

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
December 18, 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 Charlie Walton 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
Benjamin T. Reece, Treasurer
Lori Zombek, Director of Human Resources
Sheriff Department – Maj. Tom Scheben
Sharon Burcham, Fiscal Court Clerk

Jeff Earlywine, County Administrator, asked that an Item be added to the Agenda, Item VII. F. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the addition to the Agenda. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

ITEM II.

APPROVAL OF MINUTES

A. Judge Moore presented the Minutes from the December 4th, 2018 Fiscal Court Meeting for approval. Commissioner Walton moved, seconded by Commissioner Kenner, to approve the Minutes from the December 4th, 2018 Fiscal Court Meeting, with no changes. Judge Moore called for a vote on the motion, MOTION PASSED AYE 4-0.

ITEM III.

PRESENTATIONS

A. Judge Moore stated this is the last meeting of the year and the last meeting that Commissioner Walton will be with the Court. He presented Commissioner Walton with a Proclamation and token of appreciation for his many years of service in Boone County.

B. Judge Moore presented a Proclamation to Mr. John B. Walton for his many years of service on the Extension Board.

C. Mr. Mike Wilson, Director of the Solid Waste Department announced the winners of the Calendar Contest among elementary students. Students were presented certificates and pictures were taken with Judge Moore and the Commissioners.

D. Sheriff Mike Helmig presented the 2019 Budget for the Boone County Sheriff Department in the amount of \$19,509,427.00. The budget will cover 23 pay periods in 2019, SRO in each of the elementary schools in Walton has been added. Two additional deputies will be required for the new Family Court Judge. Judge Moore stated that Sheriff Helmig provides the budget to the Court for review before it was presented tonight. Jeff Earlywine, County Administrator, asked Sheriff Helmig to explain the use of HB 364. Sheriff Helmig stated the Department hires qualified retired officers for the SRO program, giving 400 years of experience at the Elementary Schools. Judge Moore asked if there were any questions, Commissioner Walton stated anywhere in the State the Boone County Sheriff's office is often mentioned as the best. Commissioner Flaig thanked Sheriff Helmig for instituting the SRO program. Commissioner Kenner also thanked Sheriff Helmig for his service.

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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 THE SHERIFF'S BUDGET, GENERAL TERM ORDER, AND ANNUAL ORDER SETTING MAXIMUM AMOUNT FOR DEPUTIES AND ASSISTANTS OF THE BOONE COUNTY SHERIFF'S DEPARTMENT FOR THE CALENDAR YEAR 2019. 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.

E. Judge Moore introduced Jenny Coldiron from the Boone County Clerk's office. The Clerk's budget is on track to give back to the County \$1.6 M at the end of term. Retirement costs are up for 2018, usage tax is up every year, total tax collected is down. Jeff Earlywine, County Administrator, asked about the number of staff, Jenny responded that staffing numbers are unchanged. Judge Moore stated the Clerk's office in Florence now handles over 50% of the work load. Jenny stated the on line registrations, phone in and drop box all new items created help the customer.

Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. B: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE COUNTY CLERK'S BUDGET, GENERAL TERM ORDER AND ANNUAL ORDER FOR SETTING THE MAXIMUM AMOUNT FOR DEPUTIES AND ASSISTANTS OF THE COUNTY CLERK'S DEPARTMENT FOR THE CALENDAR YEAR 2019. 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.

F. Judge Moore introduced Mr. Carl Cassell of the Boone/Florence Water Commission. He presented increases in wholesale water rates for the Boone Florence Water Commission according to SPGE House Bill 1. He stated the suppliers will be raising the rates to 2.95% to Boone-Florence Water. The Contract in place is through 2027. Judge Moore stated the rates cannot be raised by Cincinnati without raising the rates of their own customers. There is no motion needed for this presentation.

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 DANIEL PRINDLE TO THE POSITION OF SUPPORT COORDINATOR FOR THE DEPARTMENT OF INFORMATION SYSTEMS. Lori Zombek, Director of Human Resources, stated this is an open position due to a promotion. Daniel is a current employee, interviews were conducted with internal and external candidates. Daniel has a Bachelor's Degree and supervisor experience. 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.

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 GREGORY TANNER TO THE POSITION OF PUBLIC SERVICES LABORER FOR THE PUBLIC WORKS DEPARTMENT. Lori Zombek, Director of Human Resources, stated this is an open labor position and this candidate has past experience. 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.

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 ADAM SHORT AND MICHAEL LUKONEN TO THE FULL-TIME POSITION OF TELECOMMUNICATOR FOR THE PSCC DEPARTMENT. Lori Zombek, Director of Human Resources, stated we are always looking for dispatchers, Mr. Short has a degree in criminal justice and Mr. Lukenon has an Associate's Degree. 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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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, KENTUCKY, RECOMMENDING DENIAL FOR A REQUEST OF DREES COMPANY, MATT MAINS (APPLICANT) FOR AYLOR INVESTMENTS LIMITED PARTNERSHIP, RAYMOND O. GODSEY, JR., AND AKIN & MILLER LAND DEVELOPERS (OWNER) FOR A ZONING MAP AMENDMENT FROM RURAL SUBURBAN (RS) AND SUBURBAN RESIDENTIAL ONE (SR-1) TO SUBURBAN RESIDENTIAL THREE (SR-3) FOR A 44.7277 ACRE SITE LOCATED ON THE EAST SIDE OF OLD NORTH BEND ROAD, APPROXIMATELY 220 FEET SOUTH/SOUTHEAST OF THE BRITT DRIVE/OLD NORTH BEND ROAD INTERSECTION, TO THE NORTH, SOUTH, AND EAST OF THE PROPERTIES AT 1820 AND 1828 OLD NORTH BEND ROAD, AT THE TERMINUS OF CARDINAL WAY AND GRANDVIEW DRIVE, AND INCLUDING THE TRACT AT 1846 OLD NORTH BEND ROAD, BOONE COUNTY, KENTUCKY. THE REQUEST IS FOR A ZONE CHANGE TO ALLOW ATTACHED RESIDENTIAL CONDOMINIUMS. Commissioner Flaig stated she has a family conflict regarding the property for this Ordinance and she will be abstaining. Judge Moore stated this project is in unincorporated Boone County. The Planning Commission recommended denial for the request. The deadline to vote on the project is January 1, 2019. Judge Moore opened the floor for anyone wanting to speak that agreed to deny the request:

1. Justin Steinhart – lives on Britt Drive, concerned about property value
2. Cecil Young, lives in Parlor Grove, accidents 80% higher on Graves Road from traffic
3. Bill Sander – lives on Britt Drive – zoning request is inappropriate

Commissioner Walton stated he supported the Planning Commission's recommendation. Judge Moore asked that the Applicant be given the opportunity to state their case.

4. Barbara Jacobson – Brandon Court – concerned about safety
5. Joanna Ellena – lives in Parlor Grove, wants the area walkable, improvements to lanes
6. John Roberts – lives on Brandon Drive, concerned about safety and traffic backups

Judge Moore asked the Applicant to speak:

1. Matt Mains from Drees Company explained the updated plan is for condominiums and townhomes. Outdoor space will be maintained by HOA, all interior roads will be maintained by the HOA not by the County. The original plan was for single-family homes only. This property will be developed due to its desirable location. A Traffic Study was conducted showing traffic volumes are the same as the original plan. The property value of adjacent home will not be affected.
2. J.J. Miller – developed Parlor Grove, the old plan is much less attractive, the new plan has a second access road planned. Information from Planning Commission was misleading, County Staff was in favor for the upgraded development.
3. Jack Flum, conducted traffic study, his opinion was safe traffic.
4. Ray Godsey – Stated the vote was 4-7 against, 3 members were missing, all of Boone County is a traffic problem.
5. Todd Vicker – lives in Parlor Grove, works in construction, approves the new development.
6. Martha Leach – lives in Parlor Grove, as a realtor states the new development is the perfect scenario.
7. Larry Gouge – as a seller, previous plan had small lots, now the areas has more green space.
8. Barry Riley – lives in Parlor Grove, mentioned the second exit

Matt from Drees, addressed the emergency gated access; Judge Moore clarified the new plan did not have limited access. Jeff Earlywine, County Administrator, stated the staff has reviewed the complete file and tonight's discussion touches on all the issues. Judge Moore advised the zoning now is for 112 homes. Graves Road construction will begin in 2019, Cardinal Cove round-about will be widened with an additional lane and north and south lanes will be added to North Bend Road

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between the roundabouts. Judge Moore asked Commissioner Walton if he still wanted to make a Motion. Commissioner Walton made a Motion to accept the Planning Zoning Commission recommendation to deny the zone change. Commissioner Kenner stated he voted No on the proposal in 2005, he did not want to see the land stripped. That type of housing is in demand. Judge Moore asked if there was a Second on the Motion. Judge Moore advised apparently there is no consensus of the Court, the Motion dies for lack of a Second. There will be no action by the Court. The deadline for action on the project is January 1, 2019.

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 JEREMY KLEIER TO THE NORTHERN KENTUCKY SOLID WASTE MANAGEMENT TECHNICAL ADVISORY COMMITTEE. 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 VI. B: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE RE-APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF KIM PATTON TO THE BOONE COUNTY PLANNING COMMISSION. 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.

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 APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF CORRINE GULICK TO THE BOONE COUNTY PLANNING COMMISSION. Judge Moore acknowledged Ms. Gulick in the audience, she was the lead on the County-wide Transportation Plan. 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.

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 TIM ALEXANDER, JR., TO THE BOONE COUNTY WATER DISTRICT COMMISSION BOARD. 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.

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 GREG AMMON, JOHN B. WALTON, DAVID WHITEHOUSE AND DAVID KOESTER TO THE CENTRAL PARK ARBORETUM ADVISORY COUNCIL. Judge Moore thanked John Walton for his service on the Arboretum 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.

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 APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF SAL SANTORO AS REPRESENTATIVE OF THE KENTUCKY GENERAL ASSEMBLY TO THE NORTHERN KENTUCKY CONVENTION AND VISITORS BUREAU TO FILL THE UNEXPIRED TERM OF ADDIA WUCHNER. Judge Moore stated this is the Legislative position. 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.

MINUTES
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G. Judge Moore asked the Fiscal Court Clerk to read into the record Item VI. G: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF JOSH QUINN AS REPRESENTATIVE OF THE COUNTY JUDGE/EXECUTIVE OFFICE TO THE NORTHERN KENTUCKY CONVENTION AND VISITORS BUREAU TO FILL THE UNEXPIRED TERM OF CHARLIE WALTON. Judge Moore stated this is the right time to transition, Mr. Quinn owns the Boone Distillery and is also a deputy. 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 VII.

ADMINISTRATIVE MATTERS

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 AWARDING THE BIDS FOR NEW RADIOS AND RELATED EQUIPMENT ACROSS VARIOUS COUNTY DEPARTMENTS TO MOTOROLA AT A TOTAL BID PRICE OF \$1,330,881.40 AND TO THE E.F. JOHNSON COMPANY AT A TOTAL BID PRICE OF \$217,485.19. Jeff Earlywine, County Administrator, explained this bid is for very important equipment, the first responders' hand-held radios. The counties conducted a central bid, the best and final offer was submitted to the Board. Funds are in the budget for this purchase. Commissioner Flaig asked the delivery date, Mr. Earlywine responded the system would be up June of 2019. 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.

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 A MEMORANDUM OF AGREEMENT (MOA) WITH THE KENTUCKY ENERGY AND ENVIRONMENT CABINET, DEPARTMENT FOR ENVIRONMENTAL PROTECTION, DIVISION OF WATER FOR GRANT FUNDING FOR THE EVERGREEN/RIDGEVIEW SANITARY SEWER PROJECT. Commissioner Walton stated he will abstain from voting. Jeff Earlywine, County Administrator, stated this MOA gives \$200,000 to the project. It will be spent to fund from the homes to the sewer line and de-commission old plastic and/or metal septic tanks. 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.

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 DECLARING A 2011 FORD CROWN VIC AS SURPLUS AND DONATING IT TO THE GRANT COUNTY SHERIFF. Jeff Earlywine, County Administrator, commented this vehicle is a former law enforcement vehicle and Grant County has asked for the vehicle due to limited funds in their budget. 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 Item VII. F: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING A TOWER LICENSE AGREEMENT WITH VERIZON WIRELESS TO PERMIT THE INSTALLATION OF EQUIPMENT ON AN EXISTING COMMUNICATION TOWER LOCATED AT 4951 HAND ROAD IN ASSOCIATION WITH THE REGIONAL PUBLIC SAFETY COMMUNICATION SYSTEM PROJECT. Jeff Earlywine, County Administrator, explained this is the item we added to the Agenda. It is to secure tower leases for a tower site located on Hand Road in the County. The monthly rent would be \$2,494.00/month. Six of the ten tower agreements have been secured. Commissioner Flaig asked the location of Hand Road, Mr. Earlywine 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.

ITEM VIII.

FISCAL MATTERS

A. Judge Moore presented the Invoice Report dated December 18th, 2018 and pre-paid Invoice Reports dated December 6th and December 13th, 2018. Commissioner Flaig moved, seconded by Commissioner Kenner to approve the Invoice Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

MINUTES
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B. Judge Moore presented the Golf Invoice Report dated December 18th, 2018 and pre-paid Golf Invoice Reports dated December 6th and December 13th, 2018. Commissioner Kenner 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

C. Judge Moore presented the Treasurer's Interfund Transfer Report and Monthly Financial Statement for November, 2018. Commissioner Flaig moved, seconded by Commissioner Walton to approve the Treasurer's Interfund Transfer Report and Monthly Financial Statement for November, 2018. 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, none presented.

ITEM XI.

ADJOURNMENT

Judge Moore asked Commissioner Walton if he would like to make the motion to Adjourn the Fiscal Court Meeting. Commissioner Walton moved, seconded by Commissioner Kenner, to adjourn the meeting. ALL PRESENT VOTING AYE 4-0.

NEXT FISCAL COURT MEETING - Tuesday, January 8th, 2019 at 8:30 AM.

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 December 18th, 2018.


Sharon Burcham
Fiscal Court Clerk

Date: 8 January 2019

ANNOUNCEMENTS:

Judge Moore announced the swearing-in ceremony for elected officials will be Thursday, January 3rd at 4:00 PM in the Ferguson Room at the Historic Courthouse.