

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
April 9, 2019
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 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
Jesse Brewer, 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
Maj. Bill Mark, Sheriff Department
Emily Fricke, Acting Fiscal Court Clerk

ITEM II.

APPROVAL OF MINUTES

Judge Moore presented the Minutes from the March 26th, 2019 Fiscal Court Meeting for approval. Commissioner Brewer moved, seconded by Commissioner Kenner, to approve the Minutes from the March 26th, 2019 Fiscal Court Meeting, with no changes. Judge Moore called for a vote on the motion, ALL PRESENT VOTING – 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 PROMOTION, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF JEREMY COLLINS TO THE POSITION OF TRUCK DRIVER/EQUIPMENT OPERATOR FOR THE PUBLIC WORKS DEPARTMENT. Lori Zombek, Director of Human Resources stated that Jeremy has worked for the county for years. 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 IV. B: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF JOSEPH RISCH TO THE POSITION OF LABORER FOR THE PUBLIC WORKS DEPARTMENT. Lori Zombek, Director of Human Resources stated that he comes to us with great experience 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.

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 ANDREW GREFER AND TRAVIS LOVELL TO THE FULL-TIME POSITION OF TELECOMMUNICATOR FOR THE PSCC DEPARTMENT. Lori Zombek, Director of Human Resources stated that with these new editions they coming close to becoming fully staffed Commissioner Brewer 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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D. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV. D: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF ALVIN POWELEIT TO THE POSITION OF SECOND ASSISTANT GROUNDS SUPERINTENDENT AT THE BOONE COUNTY GOLF COURSES. Lori Zombek, Director of Human Resources stated that Alvin has been with the County for years and the position was open due to promotion. Commissioner Flaig moved, seconded by Commissioner Brewer, 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 IV. E: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF SEASONAL RETURNING AND NEW HIRES AT DAY CAMPS FOR THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek, Director of Human Resources spoke on the matter. Commissioner Kenner moved, seconded by Commissioner Brewer 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 IV. F: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF ABIGAIL WELP TO THE PART-TIME POSITION OF SEASONAL INTERN AT THE ARBORETUM FOR THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek, Director of Human Resources discussed the experience she is coming with. Commissioner Brewer 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 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, WITH CONDITIONS, A REQUEST OF JOHN DIERSING (APPLICANT) FOR SOUTHERN HEARTH REAL ESTATE LLC (OWNER) FOR A ZONING MAP AMENDMENT TO ESTABLISH A SPECIAL SIGN DISTRICT FOR AN APPROXIMATE 16 ACRE SITE LOCATED AT 2100 LITTON LANE, BOONE COUNTY, KENTUCKY. THE REQUEST IS FOR A SPECIAL SIGN DISTRICT IN AN INDUSTRIAL ONE (I-1) DISTRICT TO ALLOW AN ELECTRONIC MESSAGE CENTER ON A MONUMENT SIGN.

B. Judge Moore asked the Fiscal Court Clerk to read into the record the First Reading of Item V. B: of AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING, WITH CONDITIONS, A REQUEST OF REDWOOD ACQ., GREG THURMAN (APPLICANT) FOR LUCILE C. STEPHENS TRUST AGREEMENT C/O MICHAEL A. CONNER (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL TWO (SR-2) AND PUBLIC FACILITIES (PF) TO SUBURBAN RESIDENTIAL TWO/PLANNED DEVELOPMENT (SR-2/PD) FOR APPROXIMATELY 18.3 ACRES AND PUBLIC FACILITIES/PLANNED DEVELOPMENT (PF/PD) FOR APPROXIMATELY 3.9 ACRES OF THE TRACT LOCATED AT 2046 BURLINGTON PIKE, BOONE COUNTY, KENTUCKY; AND FOR A ZONING MAP AMENDMENT FROM PUBLIC FACILITIES (PF) TO COMMERCIAL ONE (C-1) FOR APPROXIMATELY 2.6 ACRES AND PUBLIC FACILITIES/PLANNED DEVELOPMENT (PF/PD) FOR APPROXIMATELY 4.1 ACRES OF THE TRACT LOCATED ON THE NORTHWEST CORNER OF THE NORTH BEND ROAD/VETERANS WAY INTERSECTION AND IMMEDIATELY SOUTH OF STEPHENS ELEMENTARY SCHOOL AT 5687 NORTH BEND ROAD, BOONE COUNTY, KENTUCKY. THE REQUEST IS FOR ZONE CHANGES TO ALLOW SINGLE STORY ATTACHED DWELLING UNITS, AN ASSISTED LIVING FACILITY AND COMMERCIAL USES.

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C. Judge Moore asked the Fiscal Court Clerk to read into the record the First Reading of Item V. C: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, AMENDING ORDINANCE NO. 2016-12, ENACTED ON JULY 5, 2016, ESTABLISHING THE SPEED LIMIT UPON CERTAIN BOONE COUNTY ROADS.

D. Judge Moore asked the Fiscal Court Clerk to read into the record the First Reading of Item V. D: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT RELATING TO THE DECLARATION OF SNOW EMERGENCIES ON COUNTY ROADWAYS.

E. Judge Moore asked the Fiscal Court Clerk to read into the record the Second Reading of Item V. E: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, RECOMMENDING APPROVAL, WITH CONDITIONS, FOR A REQUEST OF VIOX AND VIOX, INC. (APPLICANT) FOR SUZANNE CRESS ESTATE, HERBERT H. CRESS AND CINDY L. CRESS (OWNERS) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM RURAL SUBURBAN ESTATES (RSE) TO SUBURBAN RESIDENTIAL ONE (SR-1) FOR AN APPROXIMATE 21.8 ACRE SITE LOCATED AT 7456 CAMP ERNST ROAD AND 488 CRESS COURT, BOONE COUNTY, KENTUCKY. A member from Viox and Viox was not in the courtroom. Commissioner Brewer had concerns about the amount of traffic it would cause. Since there wasn't a representative at court, it was decided that the ordinance be tabled until next meeting. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve tabling the ordinance until April 23rd Fiscal Court meeting. 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 the Second Reading of Item V. F: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, APPROVING, WITH CONDITIONS, A REQUEST OF LEGENDARY RIDGE PROPERTIES, LLC (APPLICANT) FOR ROSLYN WACHS TRUSTEE (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM RURAL SUBURBAN ESTATES (RSE) TO RURAL SUBURBAN ESTATES/PLANNED DEVELOPMENT (RSE/PD) FOR A 50.78 ACRE TRACT LOCATED ON THE NORTH SIDE OF BURLINGTON PIKE, BETWEEN THE PROPERTIES AT 3300 AND 3446 BURLINGTON PIKE AND ACROSS FROM THE BURLINGTON PIKE/SADDLE RIDGE DRIVE INTERSECTION, BOONE COUNTY, KENTUCKY. Jeff Earlywine spoke about this Ordinance saying that Planning Commission approval was 12-1. 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.

G. Judge Moore asked the Fiscal Court Clerk to read into the record the Second Reading of Item V. G: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY CREATING AN ENERGY PROJECT ASSESSMENT DISTRICT ("EPAD") WITHIN THE COUNTY PURSUANT TO THE PROVISIONS OF KRS 65.205-209 AND ESTABLISHING A PROGRAM TO ADVANCE CONSERVATION AND EFFICIENT USE OF ENERGY AND WATER RESOURCES. Jeff Earlywine commented that this is something that will take effect in Kenton County in the Spring and Campbell County is in the process of getting it passed. Chris Jones was also at Court to answer any questions. 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 APPOINTMENT BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF DR. LEAH AKIN TO THE BOONE COUNTY LOCAL HEALTH BOARD FOR THE OPTOMETRIST POSITION. Judge Moore stated that Dr. Akin comes with a very impressive resume and that she will be a great addition to the Board. Commissioner Brewer 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.

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C. 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 STEVE WILLS TO THE CENTRAL PARK ARBORETUM ADVISORY COUNCIL. Commissioner Brewer 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

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 THE STRATEGIC PLAN SUMMARY DOCUMENT CONTAINING A VISION STATEMENT, GOALS AND OBJECTIVES FROM THE FISCAL COURT STRATEGIC PLANNING SESSION. Jeff Earlywine reminded the Commissioners that there is nothing binding in the statement plan. 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 VII. B: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING AN EMERGENCY PROCUREMENT REQUEST FROM THE COUNTY ADMINISTRATION FOR REPLACEMENT OF THE HVAC CONTROL SYSTEM AT THE BOONE COUNTY JAIL TO EDI, INC. AT A TOTAL PRICE OF \$143,275.00. Matthew Webster stated that even though it was an emergency procurement that they still were able to get 3 bids. The amount changed to \$143,124.00. 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 Item VII. C: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT ADOPTING AND APPROVING THE EXECUTION OF A COUNTY ROAD AID CO-OP PROGRAM CONTRACT BETWEEN THE FISCAL COURT AND THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET, DEPARTMENT OF RURAL AND MUNICIPAL AID, FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, 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. Commissioner Brewer 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 AWARDDING THE BID TO GILLIE HYDE FORD FOR FOURTEEN (14) MID-SIZE SPORT UTILITY PARTOL UNITS AND ONE (1) MID-SIZE SPORT UTILITY K-9 UNIT FOR THE SHERIFF'S DEPARTMENT AT THE TOTAL BID PRICE OF \$501,997.00. Jeff Earlywine stated that they had received 7 bids and that this is coming out of the 2020 budget. He further stated that this bid was determined to be the lowest and most responsive bid, with no exceptions. Billy Angel also answered any questions that the commissioners had. 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 April 9th, 2019 and pre-paid Invoice Reports dated March 28th, March 29th and April 5th, 2019. Commissioner Kenner moved, seconded by Commissioner Brewer 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 April 9th, 2019 and pre-paid Golf Invoice Reports dated March 28th and April 5th, 2019 - Commissioner Brewer moved, seconded by Commissioner Kenner to approve the Golf Invoice Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 4-0.

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ITEM IX.

OLD BUSINESS

A. Staff Report- Jeff Earlywine reported regarding Public/Private partnership discussions with the Dutch Lyon Club to Valley Orchard property. He briefed the Court regarding the next steps.

B. A representative from Viox and Viox came in the court room, Judge Moore and the Commissioners decided to reevaluate Ordinance E. Commissioner Brewer wanted to add a condition of approval that they would limit the construction to 10 units a year until the Pleasant Valley Road reconstruction project was completed, the representatives agreed. Commissioner Brewer moved, seconded by Commissioner Kenner, to approve the Resolution with the additional condition. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 4-0.

ITEM X.

NEW BUSINESS

A. None at this time

ITEM XI.

ADJOURNMENT

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

NEXT FISCAL COURT MEETING - Tuesday, April 23rd, 2019 at 5:30 P.M.

Announcements:

CLERK CERTIFICATION

I, Emily Fricke, Acting 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 April 9th, 2019.



Acting Fiscal Court Clerk

Date: 4/24/19