

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
May 14, 2019
8:30 A.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
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
Sheriff Mike Helmig, Sheriff Department
Emily Fricke, Acting Fiscal Court Clerk

ITEM II.

APPROVAL OF MINUTES

A. Judge Moore presented the Minutes from the April 23rd, 2019 Fiscal Court Meeting for approval. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Minutes from the April 23, 2019 Fiscal Court Meeting, with no changes or corrections. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 4-0

B. Judge Moore presented the Minutes from the Special Meeting of May 7th, 2019 Fiscal Court Meeting for approval. Commissioner Brewer moved, seconded by Commissioner Kenner, to approve the Minutes from the May 7th, 2019 Special Fiscal Court Meeting, with no changes or corrections. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 4-0

ITEM III.

PRESENTATIONS

- A. Judge Moore read a Proclamation for Boone County High School Cheerleaders – National Champions
- B. Judge Moore read a Proclamation for Ryle High School Girls Basketball Team – State Champions
- C. Judge Moore read a Proclamation for Proclamation for Public Works Week – Scott Pennington, County Engineer
- D. Judge Moore read a Proclamation NKY Community Action Commission - Rhonda Chisenhall
- E. Judge Moore introduced County Citizen Survey results - NKU MPA Program, Alex Horan

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 KELSEY MOREHEAD, AS A RETURNING SEASONAL EMPLOYEE IN CONCESSIONS FOR THE BOONE COUNTY GOLF COURSES. 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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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 SEASONAL APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF GUY SCHETAGNE AND SPENCER STRUNK TO THE GROUNDS MAINTENANCE CREW AT THE BOONE COUNTY GOLF COURSES. 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.

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 SEASONAL RETURNING AND SEASONAL NEW HIRES AS PROGRAM LEADERS, MAINTENANCE AND NATURAL AREA STAFF FOR THE BOONE COUNTY PARKS DEPARTMENT. 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.

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 SEASONAL APPOINTMENTS, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, FOR THE POSITION OF PUBLIC SERVICES AND A SALARY ADJUSTMENT FOR A SEASONAL SOLID WASTE POSITION FOR THE PUBLIC WORKS DEPARTMENT. 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 KATELYN ROY TO THE FULL-TIME POSITION OF TELECOMMUNICATOR FOR THE PSCC DEPARTMENT. Lori Zombek commented that Katelyn gets the PSCC one step closer to being fully staffed. 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 TRAVIS RANSOM TO THE PART-TIME/AS NEEDED SPECIALIST POSITION FOR THE BOONE COUNTY EMERGENCY MANAGEMENT DEPARTMENT. 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.

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, 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. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Ordinance. 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 the Second Reading of Item V. B: 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. Commissioner Flaig moved, seconded by Commissioner Brewer, to approve the Ordinance. 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 the Second Reading of Item V. C: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT RELATING TO THE DECLARATION OF SNOW EMERGENCIES ON COUNTY ROADWAYS. Scott Pennington commented that this was just to update the preexisting county snow emergency policy. Commissioner Kenner moved, seconded by Commissioner Brewer, to approve the Ordinance. 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 the Second Reading of Item V. D: 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. Jeff Earlywine noted that the Staff was recommending amendment to two of the eight conditions of approval and the addition of a ninth condition. The developer acknowledged review of and agreement with the Staff recommendation. Judge Moore stated that the developer was here if anyone had additional questions. Commissioner Flaig moved, seconded by Commissioner Kenner, 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 BRITTANEY KING TO THE NORTHERN KENTUCKY AREA DEVELOPMENT DISTRICT COUNCIL ON AGING. Judge Moore informed the commissioners that this was a one year term. 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 ACCEPTING THE ANNUAL FY2018 AUDIT OF THE ASSISTED HOUSING DEPARTMENT. Ruth Tanner was there to answer any questions. Judge Moore said that it was yet another clean audit from the Assisted Housing Department. 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.

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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 AWARDING THE BID FOR STOP LOSS COVERAGE TO THE WESTPORT INSURANCE COMPANY WITH A PREMIUM OF \$374,487.60. 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.

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 SANITATION DISTRICT NO. 1'S IMPLEMENTATION OF BASE RATE AND ENVIRONMENTAL SURCHARGE FOR SANITARY SEWER USERS OF THE RESIDENTIAL CLASS. Adam Chaney, SD1 Executive Director answered questions from the Judge and Commissioners. After a lengthy discussion Judge Moore called for a Motion from the Court. Commissioner Brewer made a Motion that the Resolution be shelved for six months to allow for additional public hearings. He suggested that a note be placed on monthly sewer bills to announce the hearings. The Motion was seconded by Commissioner Flaig. Further discussion occurred regarding this Motion. Judge Moore then called for a vote on the Motion that failed 2-2, with Judge Moore and Commissioner Kenner voting against the Motion. Judge Moore then called for other Motions from the Court regarding the Resolution. A Motion to approve the Resolution made by Commissioner Kenner was not recognized by Judge Moore and did not receive a Second. Judge Moore then declared the Court to be deadlocked on this matter, with no objection from any member. No further action occurred and the Court failed to adopt the Resolution as presented.

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 AUTHORIZING THE APPOINTMENT OF A VIEWING COMMITTEE REGARDING THE REQUEST TO VACATE THE RIGHT-OF-WAY FROM 3018-3028 THIRD STREET IN PETERSBURG, UNINCORPORATED BOONE COUNTY. 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 VII. E: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT DECLARING MISCELLANEOUS VEHICLES FROM FLEET SERVICES AS SURPLUS FROM THE PUBLIC WORKS DEPARTMENT TO BE POSTED ON GOVDEALS.COM. Matthew commented this is a public auction. 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.

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 PURCHASE CONTRACT WITH THE NEYER COMPANY FOR THE ACQUISITION OF AN APPROXIMATE 3.7 ACRE PARCEL LOCATED ALONG THE SOUTH SIDE OF AERO PARKWAY. 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.

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 THE EVERGREEN/RIDGEVIEW DRIVE SANITARY SEWER PROJECT TO SMITH & BROWN CONTRACTORS, INC., AT THE TOTAL BID PRICE OF \$2,991,610.00. Jeff Earlywine, County Administrator, explained that there was 6 bids submitted. There was a discussion regarding whether a bidder preference should be applied to Lonkard Construction, a Boone County based business. 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.

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 REJECTING THE BID FROM KACO REVERSE AUCTION FOR SALT AND RENEWING THE OPTION OF THE FIRST EXTENSION PRICE TO CARGILL TECHNOLOGY FOR THE CITY OF FLORENCE AND THE COUNTY OF BOONE. Scott Pennington pointed out that this was a cheaper option for the county. 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.

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ITEM VIII.

FISCAL MATTERS

A. Judge Moore presented the Invoice Report dated May 14, 2019 and a pre-paid Invoice Report dated April 19th, May 2nd, and May 3rd, 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 May 14th, 2019 and pre-paid Golf Invoice Reports dated April 19th and May 2nd, 2019. Commissioner Flaig moved, seconded by Commissioner Brewer 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 Transfers Report and Monthly Financial Statement for February, 2019. Commissioner Kenner moved, seconded by Commissioner Brewer to approve the Treasurer's Interfund Transfer Report and Monthly Financial Statement for February, 2019. 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.

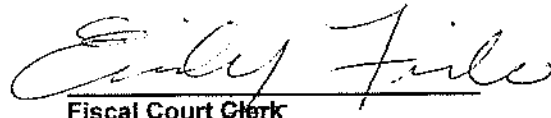
ADJOURNMENT

Judge Moore 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, May 28th, 2019 at 5:30 P.M.

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 May 14, 2019.



Fiscal Court Clerk

Date: 5/29/19