

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
June 25, 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. Judge/Executive Gary W. Moore 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 A. 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 - absent
Maj. Tom Scheben, Sheriff Department
Sharon Burcham, Fiscal Court Clerk

ITEM II.

APPROVAL OF MINUTES

A. Judge Moore presented the Minutes from the June 11, 2019 Fiscal Court Meeting for approval. Commissioner Kenner moved, seconded by Commissioner Brewer, to approve the Minutes from the June 11, 2019 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

There were no Presentations.

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 A PAY RATE ADJUSTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, FOR SEASONAL EMPLOYEES AT THE ARBORETUM FOR THE BOONE COUNTY PARKS DEPARTMENT. Jeff Earlywine, County Administrator, commented these are part-time positions that are funded by the Extension Service. 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.

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 SIERRA BROOKOVER AND MADELYNN BROOKOVER AS NEW SEASONAL MAINTENANCE STAFF FOR THE BOONE COUNTY PARKS DEPARTMENT. 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 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 APPROVING, WITH CONDITIONS, THE REQUEST OF FRANK FUGATE AND TAMMY STANDBURY (APPLICANTS) FOR SCHLEPER DEVELOPMENT CORPORATION (OWNER) FOR A ZONING MAP AMENDMENT FROM INDUSTRIAL ONE (I-1) TO URBAN RESIDENTIAL TWO (UR-2) FOR A 7.8183 ACRE TRACT LOCATED ON THE SOUTHEAST CORNER OF THE SOUTHPARK DRIVE/CONTINENTAL WAY INTERSECTION, BOONE COUNTY, KENTUCKY. THE REQUEST IS FOR A ZONE CHANGE TO ALLOW A SENIOR INDEPENDENT LIVING DEVELOPMENT. Mike Schwartz, Assistant Zoning Administrator, presented a map of the site to be rezoned. It will be a 4-story building with 96 units for Senior Housing. Two conditions are stated: Commissioner Brewer and Commissioner Flaig asked questions, Mike responded. Judge Moore stated the vote from the Planning Commission was unanimous. Discussion regarding number of residents and sidewalks followed. Judge Moore stated the Second Reading will be July 23rd.

B. Judge Moore asked the Fiscal Court Clerk to read into the record the First Reading of Item V. B: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING, WITH CONDITIONS, THE REQUEST OF TERRY CRIGGER (APPLICANT) FOR CHRIST'S CHAPEL ASSEMBLY OF GOD (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM RURAL SUBURBAN ESTATES/PLANNED DEVELOPMENT/HOUSTON-DONALDSON STUDY CORRIDOR OVERLAY (RSE/PD/HDO) AND INDUSTRIAL ONE/PLANNED DEVELOPMENT/HOUSTON-DONALDSON STUDY CORRIDOR OVERLAY (I-1/PD/HDO) TO PUBLIC FACILITIES/PLANNED DEVELOPMENT/HOUSTON-DONALDSON STUDY CORRIDOR OVERLAY (PF/PD/HDO) FOR AN APPROXIMATE 13 ACRE SITE LOCATED AT 3819, 3837 AND 3845 TURFWAY ROAD, BOONE COUNTY, KENTUCKY. Todd Morgan, Senior Planner with the Planning Commission presented a site map. This project will be a school built in two phases. The vote was unanimous from the Planning Commission. Judge Moore asked if there were any questions and stated the Second Reading will be July 23rd.

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 USE OF GOLF CARTS ON CERTAIN DESIGNATED COUNTY STREETS AND ROADWAYS. Matthew Webster, Assistant County Administrator, presented an overview of the requirements and explained that streets needed approval by petition to the County from the citizens to be approved for golf cart use. Judge Moore stated the Second Reading will be July 23rd.

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 AMENDMENT OF BOONE COUNTY FISCAL COURT ORDINANCE 100.1, PASSED SEPTEMBER 27, 1994, BY REPEALING IN ITS ENTIRETY SECTIONS ENTITLED "PERSONNEL POLICIES" (CODIFIED AS CHAPTER 34 OF THE COUNTY'S CODE OF ORDINANCES), "PROCUREMENT PROCEDURES" (CODIFIED AS CHAPTER 38 OF THE COUNTY'S CODE OF ORDINANCES), AND "FINANCE AND REVENUE" (CODIFIED AS CHAPTER 39 OF THE COUNTY'S CODEBOOK) AND EFFECTUATING CERTAIN AMENDMENTS TO THE SECTION ENTITLED "COUNTY POLICIES" (CODIFIED AS CHAPTER 37 OF THE COUNTY'S CODEBOOK). Jeff Earlywine, County Administrator, explained that the Administrative Code now serves as a unified and regulatory document for policies and procedures for the County. This is a housekeeping process. Judge Moore stated the Second Reading will be July 23rd.

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, PROVIDING FOR A CREDIT OF ITS OCCUPATIONAL LICENSE FEE FOR NEW EMPLOYEES AS PART OF AN ECONOMIC DEVELOPMENT PROJECT BY WHITEHALL INC., UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM. Jeff Earlywine, County Administrator, stated this business is the Klosterman Bakery. They have exceeded their commitments for the program. 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.

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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 AMENDMENT OF BOONE COUNTY FISCAL COURT ORDINANCE 100.1, PASSED SEPTEMBER 27, 1994, PREFERENCES TO CERTAIN BUSINESSES AND RECYCLED ITEMS. Judge Moore stated this will clean up discrepancies from the original Ordinance. Commissioner Brewer moved, seconded by Commissioner Kenner, 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 G: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, OF THE ANNUAL BUDGET AND APPROPRIATIONS FOR FISCAL YEAR 2020. Judge Moore stated the County is required by State Law to pass a Budget by July 1. He thanked the entire team and staff for the hours of work on the Budget. Jeff Earlywine, County Administrator, explained on material change in the budget for TANK. A copy of changes in the Master Fee schedule for Parks was also presented. Building Permit fee schedule will change in the future. Commissioner Brewer asked if the 911 Fee could be reviewed on next year's Budget. 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.

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 SAL SANTORO AS REPRESENTATIVE OF THE KENTUCKY GENERAL ASSEMBLY AND JOSH QUINN AS REPRESENTATIVE OF THE COUNTY JUDGE/EXECUTIVE OFFICE TO THE NORTHERN KENTUCKY CONVENTION AND VISITORS BUREAU COMMISSION. Judge Moore explained this was for a full term as they had been covering unexpired terms. 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 CAITLIN FUGATE TO THE PARKING VIOLATION AND 911 DWELLING UNIT SERVICE FEE HEARING BOARD. Judge Moore stated this is a re-appointment for a full term. 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 VI, C: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF RHONDA WHITAKER TO THE TRI-COUNTY ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS. Judge Moore stated Mr. Bloodworth is not eligible as he has served two terms. Rhonda Whitaker works with Duke Energy in Government Relations with the County. Commissioner Brewer asked a question regarding residency, Judge Moore responded. 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

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 ADDITIONAL PROJECT EXPENDITURES PURSUANT TO CHANGE ORDER #11 IN THE AMOUNT OF \$23,424.00 RELATING TO THE NORTHERN KENTUCKY REGIONAL PUBLIC SAFETY COMMUNICATION PROJECT AND A 3-COUNTY CONTRACT WITH MOTOROLA. Jim Staverman, Director of PSCC stated this Change Order covers work performed on Hands Road and an antenna on the Flower Tower.

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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.

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 UPDATING AND AMENDING THE ADMINISTRATIVE CODE FOR BOONE COUNTY. Jeff Earlywine, County Administrator, stated the Administrative Code is reviewed each year. The Code included all personnel policies and procedures, the procurement code and includes drug free workplace. Judge Moore stated this is the document that guides us. 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.

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 THE ANNUAL STANDING ORDER TO PRE-APPROVE CERTAIN RECURRING EXPENSES FOR FY 2019-20. Judge Moore stated this Order goes along with the Budget. 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.

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 THE ANNUAL STANDING ORDER SETTING THE MAXIMUM NUMBER OF JAIL PERSONNEL FOR FISCAL YEAR 2019-20. Jeff Earlywine, County Administrator, commented this is a requirement with the Budget adoption for the Jail Staff. Commissioner Brewer asked a question, Jeff Earlywine responded. 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 asked the Fiscal Court Clerk to read into the record Item VI. E: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDED THE BID FOR GROUND SUPPLIES, CUSTODIAL SUPPLIES AND HARDWARE SUPPLIES FOR FISCAL YEAR 2019-20 TO VARIOUS VENDORS. Judge Moore stated this is another Budget item. Ben Reece, Treasurer, explained. 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.

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 AWARDED THE BID FOR THE ARCHITECTURAL DESIGN AND CONSULTING SERVICES FOR THE BOONE COUNTY JAIL EXPANSION FEASIBILITY STUDY TO JKS ARCHITECTURE AT THE BID PRICE OF \$0. Judge Moore stated this involves planning work for a possible expansion of the jail. It is necessary to provide safety. Matthew Webster, Assistant County Administrator, explained the County received four responses, we are recommending JKS for the design. They designed the current jail and explained there are no strings attached with the bid of \$0. 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.

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 AWARDED THE BID TO FYDA FREIGHTLINER FOR TWO (2) SINGLE AXLE DUMP TRUCKS WITH 10' SNOW PLOW/V-BOX AT THE TOTAL BID PRICE OF \$309,668.00 FOR THE PUBLIC WORKS DEPARTMENT. Scott Pennington, County Engineer, stated this purchase was approved in the budget. We bid with other counties to get better pricing and will save about \$6,000 per vehicle by purchasing this fiscal year. Discussion about length of time to receive trucks after ordering. 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.

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 AWARDED A BID TO ZIMMER MOTORS FOR A 2019 1-TON CREW CAB UTILITY BED TRUCK WITH PLOW AT THE TOTAL BID PRICE OF \$50,242.00 AND AWARDED A BID TO JEFF WYLER-FORT THOMAS FOR A 2019 1-TON CREW CAB UTILITY BODY TRUCK AT THE TOTAL BID PRICE OF \$61,841.00 FOR THE SIGN SHOP-PUBLIC WORKS DEPARTMENT. Scott Pennington, County Engineer, explained this is another

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expedited order to use money available in the current budget. 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.

I. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. I: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDING THE BID TO StepCG FOR 260 CRADLEPOINT IBR 1700 IN-VEHICLE ROUTERS (IVRS) AT THE TOTAL BID PRICE OF \$393,910.40 FOR FIVE YEARS FOR THE PSCC DEPARTMENT. Jim Staverman, Director of PSCC, explained these items provide a signal booster for cruisers and a hot spot in a vehicle. Parts are no longer available for the current routers. Jeff Earlywine, County Administrator, stated this was a planned purchase for 2020. 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.

J. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. J: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT ADOPTING THE GOLF COURSE BUDGET FOR FISCAL YEAR 2019-20. Judge Moore stated this is a separate budget for the Golf Courses. Jeff Earlywine, County Administrator, explained there is a change in the budget total for construction costs. 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.

K. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. K: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT DECLARING FIFTY (50) WOODEN PICNIC TABLES AS SURPLUS WITHIN THE PARKS DEPARTMENT. David Whitehouse, Director of Parks, stated the County has new metal mesh tables. These 125 wooded tables would be offered 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.

ITEM VIII. **FISCAL MATTERS**

A. Judge Moore presented the Invoice Report dated June 25th, 2019 and pre-paid Invoice Reports dated June 10th, June 14th and June 19th, 2019. Commissioner Brewer 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.

B. Judge Moore presented the Golf Invoice Report dated June 25th, 2019 and pre-paid Golf Invoice Reports dated June 14th and June 19th, 2019. 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**

A. 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, June 28th, 2019 at 2:30 P.M. for the purpose of paying end of year invoices. This will be the only Agenda item at this meeting.

Next Fiscal Court Meeting - Tuesday, July 9th, 2019 at 8:30 A.M.

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Announcements:

Saturday, June 29th is Clean Up Day at the Recycle Center.

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 June 25th, 2019.


Fiscal Court Clerk

Date: 9 July 2019