

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**August 13, 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  
Gwen Vice, Assistant County Attorney

Staff: Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive  
Matthew H. Webster, Assistant County Administrator  
Benjamin T. Reece, Treasurer  
Lori Zombek, Director of Human Resources  
Maj. Tom Scheben, Sheriff Department  
Sharon Burcham, Fiscal Court Clerk

**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 3416 Spruce Tree Lane, Boone County, KY 41018. 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 June 20, 2019. 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 August 13, 2019 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. Judge Moore asked if there was anyone in the audience to speak on this matter. Mr. Nick Wilson, Code Enforcement Officer, stated this property is located in the Cherry Hill subdivision off Donaldson Highway and showed slides of the property. He explained a neighbor had called in the property to be investigated. Jeff Earlywine, County Administrator, explained the County does not have a Code Enforcement Board but can make the property minimally safe. Questions and discussion followed by the Commissioners. With no further discussion, Judge Moore closed the Hearing.

Judge Moore asked the Fiscal Court Clerk to read into the record the Resolution that was prepared for this property: A RESOLUTION OF THE BOONE COUNTY FISCAL COURT DETERMINING 3416 SPRUCE TREE LANE IN ERLANGER, KENTUCKY, TO BE AN UNFIT STRUCTURE PURSUANT TO SECTIONs 150.60-150.68 OF THE BOONE COUNTY, KENTUCKY CODE OF ORDINANCES. 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.

**ITEM II.**

**APPROVAL OF MINUTES**

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

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**ITEM III.**

**PRESENTATIONS**

A. Judge Moore introduced Dr. Lynne Saddler, Director of the Health Department. Dr. Saddler and Mr. George Moore presented the tax testimony to be .213 cents per \$100. Judge Moore stated the Court does not have power over the tax rate, this is merely a report given to the public. Dr. Saddler stated the Health Department had an 8% workforce reduction, applied for grants, increase some service fees and has used reserved funds to help fund the pension issue and keep the rate at a low rate. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. F: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT ACKNOWLEDGING RECEIPT OF THE PUBLIC HEALTH TAX RATE SET BY THE BOONE COUNTY PUBLIC HEALTH TAXING DISTRICT CREATED BY KRS 212.750 AND VERIFYING ITS PLACEMENT ON THE COUNTY TAX BILL. Commissioner Brewer asked a question, George 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.

B. Judge Moore asked if anyone was present from the Verona Fire Protection District, no one was present.

**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 TRISHA HARSHBARGER AS A PART-TIME RECEPTIONIST FOR THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek, Director of Human Resources, stated this position is for a part-time position and this candidate has ten years of experience. 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 NICOLAS VAGEDES AS A PARKS LABORER/TRUCK DRIVER (FLEX) POSITION FOR THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek, Director of Human Resources, stated this candidate worked as a seasonal and this will be a promotion to full time. 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.

**ITEM V.**

**ORDINANCES**

A. Judge Moore asked the Fiscal Court Clerk to read into the record the First Reading of Item V. A: of AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, APPROVING, WITH CONDITIONS, A REQUEST OF IMMANUEL BAPTIST CHURCH, PASTOR DOUG FOSTER (APPLICANT) FOR IMMANUEL BAPTIST CHURCH OF FLORENCE, KY, INC. (OWNER) FOR A ZONING MAP AMENDMENT TO ESTABLISH A SPECIAL SIGN DISTRICT FOR A 4.72 ACRE SITE LOCATED AT 7183 PLEASANT VALLEY ROAD, BOONE COUNTY, KENTUCKY. THE REQUEST IS FOR A SPECIAL SIGN DISTRICT IN A RURAL SUBURBAN ESTATES (RSE) ZONE TO ALLOW AN ELECTRONIC MESSAGE CENTER ON A FREESTANDING SIGN. Mike Schwartz, Assistant Zoning Administrator, presented visual slides of the new location of the sign for this property. The Planning Commission approved with twelve (12) conditions to which the Owner agreed. Judge Moore a question, Mike responded. Judge Moore stated the Second Reading will be September 10, 2019. Mike stated there was no opposition at the Hearing.

**ITEM VI.**

**JUDGE'S REPORT**

A. There was nothing presented.

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**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 UNAUDITED 2018 DISTRICT TAX SETTLEMENTS FOR ALL SPECIAL DISTRICTS FROM APRIL 17, 2018 THROUGH APRIL 15, 2019 FOR THE SHERIFF'S DEPARTMENT. Judge Moore stated this is the final settlement for Fiscal Year 2019. 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.

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 THE REQUEST TO VACATE STREET RIGHT-OF-WAY ON PIKE STREET FROM FIRST STREET TO SECOND STREET IN BELLEVIEW, UNINCORPORATED BOONE COUNTY, KENTUCKY AS RECOMMENDED BY THE VIEWING COMMITTEE. Judge Moore stated Commissioner Flaig was part of the Viewing Committee. 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 AUTHORIZING THE APPOINTMENT OF A VIEWING COMMITTEE REGARDING THE REQUEST TO VACATE THE RIGHT-OF-WAY FROM 8493-8391 KROTH LANE, IN UNION, UNINCORPORATED BOONE COUNTY. Judge Moore stated this is to appoint the Viewing Committee. Jeff Earlywine, County Administrator, stated Daniel Menetrey and Daniel Rice will be on the Committee. 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 APPROVING A CHANGE ORDER FOR THE VETERANS WAY RECONSTRUCTION PROJECT IN THE AMOUNT OF \$85,911.16. Jeff Earlywine, County Administrator, stated we are near completion on this project, needed to true up on quantities of asphalt and some additional work at the Huntington Bank location. Commissioner Flaig 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 VII. E: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING AN ORDER OF AFFILIATION AGREEMENT WITH THE NORTHERN KENTUCKY TECHNICAL RESCUE TEAM. Jeff Earlywine, County Administrator, stated this a renewal of an Agreement between the County and the Technical Rescue Team. This is a highly specialized team made up of First Responders and they receive an annual contribution from the County. Commissioner Flaig asked a question, Jeff Earlywine responded. 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 VIII.**

**FISCAL MATTERS**

A. Judge Moore presented the Invoice Report dated August 13<sup>th</sup>, 2019 and pre-paid Invoice Reports dated July 25<sup>th</sup>, July 26<sup>th</sup>, August 1<sup>st</sup>, and August 8<sup>th</sup>, 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 August 13<sup>th</sup>, 2019 and pre-paid Golf Invoice Reports dated July 26<sup>th</sup>, August 1<sup>st</sup>, and August 8<sup>th</sup>, 2019. Commissioner Brewer 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.

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**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**

- A. 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, August 27<sup>th</sup>, 2019 at 5:30 P.M.

**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 August 13<sup>th</sup>, 2019.

  
Fiscal Court Clerk

Date: 28 August 2019