

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Via VideoConference**  
**February 23, 2021**  
**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 Cathy H. Flaig presented the Invocation and the Pledge to the Flag.

Members of the Court 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

Members of the Staff Present:

Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive  
Matthew H. Webster, Assistant County Administrator  
Robert Franxman, County Engineer  
Benjamin T. Reece, Treasurer  
Lori Zombek, Director of Human Resources  
Sharon Burcham, Fiscal Court Clerk

Judge Moore asked the Fiscal Court Clerk to read into the Minutes the Meeting Notice: The Boone County Fiscal Court, pursuant to KRS 61.826 and OAG 20-05, will conduct its regularly scheduled meeting Tuesday, February 23<sup>rd</sup>, 2021, as a virtual Meeting at 5:30 P.M. The meeting may be attended by the public by viewing the video teleconference on the County's home page at <https://boonecounty.viebit.com/index.php?folder=ALL> or via Spectrum CATV on Channel 203 and via FiOptics on Channel 831.

**ITEM II.**

**APPROVAL OF MINUTES**

A. Judge Moore presented the Minutes from the Fiscal Court Meeting of February 9<sup>th</sup>, 2021 for approval. Commissioner Kenner moved, seconded by Commissioner Brewer, to approve the Minutes from the Fiscal Court Meeting of February 9<sup>th</sup>, 2021. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 4-0.

B. Judge Moore asked if any questions or comments had been received by the public regarding the Agenda today. Jeff Earlywine, County Administrator, stated no public comments had been received for any item on the Agenda.

**ITEM III.**

**PRESENTATIONS**

- A. There were no Presentations.

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**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 KENNETH LOCKE TO THE FULL-TIME POSITION OF TELECOMMUNICATOR FOR THE PSCC DEPARTMENT. Lori Zombek, Director of Human Resources, presented the candidate. 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 DYLAN BARRY TO FILL THE POSITION OF MAINTENANCE TECHNICIAN FOR THE PROPERTY MAINTENANCE DEPARTMENT. Lori Zombek, Director of Human Resources, presented the candidate. 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 RE-APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF EDWARD ATKINSON, PAUL GESSNER AND JOHN SCHAEFER AND THE APPOINTMENT OF NATHANAEL POWELL TO THE SEASONAL POSITION OF ARBORETUM INTERNS FOR THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek, Director of Human Resources, presented the candidate. 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 IV D: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE ADDITION OF A NEW FULL-TIME POSITION OF ASSISTANT GOLF PROFESSIONAL AT THE BOONE COUNTY GOLF COURSES. Matthew Webster, Assistant County Administrator, stated this position will develop and grow the Junior PGA league. Boone County's Junior PGA league was rated in the top 10 PGA Junior programs in the Nation last year. Commissioner Brewer asked a question, Matthew Webster responded. 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.

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 ADAM FANGMAN AS THE SECOND ASSISTANT GOLF PROFESSIONAL AT THE BOONE COUNTY GOLF COURSES. Matthew Webster, Assistant County Administrator, presented the candidate. 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.

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 SEASONAL NEW HIRES AND RETURNING SEASONALS AT THE BOONE COUNTY GOLF COURSES. Lori Zombek, Director of Human Resources, presented the candidates. 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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G. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV G: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF RETURNING SEASONALS FOR GOLF COURSE MAINTENANCE AT THE BOONE COUNTY GOLF COURSES. Lori Zombek, Director of Human Resources presented the candidates. 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.

H. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV H: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF JAMES STEVENS AND STEVE HUFF TO THE POSITION OF SEASONAL LABORERS FOR THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek, Director of Human Resources presented the candidates. 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.

I. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV I: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF RETURNING SEASONAL EMPLOYEES AS PROGRAM LEADERS FOR THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek, Director of Human Resources presented the candidates. Commissioner Brewer asked a question, Lori Zombek responded. 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. There were no Ordinances presented.

**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 JACK KENKEL, TO THE BOONE COUNTY PVA ASSESSMENT APPEALS BOARD. Judge Moore presented the new candidate and thanked Jim Ferguson for his service on the Board. 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 VI B: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF BRIAN HALL TO FILL THE UNEXPIRED TERM OF THE FIREFIGHTER POSITION ON THE PETERSBURG FIRE PROTECTION DISTRICT BOARD OF TRUSTEES. Judge Moore presented the candidate. 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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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 DAN KREKE TO FILL THE UNEXPIRED TERM OF GREG STALEY ON THE BOONE COUNTY BUILDING INSPECTOR APPEALS BOARD. Judge Moore presented the candidate. 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 AMENDING THE ADMINISTRATIVE CODE FOR BOONE COUNTY. Jeff Earlywine, County Administrator, explained the two amendments that will be made to the Administrative Code creating the Community Volunteer Service program and flexible work schedules. 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 AUTHORIZING AN EMPLOYEE DISCOUNT PROGRAM FOR FULL-TIME AND PERMANENT PART-TIME COUNTY EMPLOYEES. Jeff Earlywine, County Administrator, stated this is a free-standing policy that will not be a part of the Administrative Code. This discount is for full time and permanent part time employees and Sheriff Employees for the use of County facilities and programs. 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 APPROVING AN AGREEMENT BETWEEN THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET AND THE BOONE COUNTY FISCAL COURT FOR FUNDING THE ROADWAY DESIGN PROJECT AT KY #20 AND AVIATION BOULEVARD. Rob Franxman, County Engineer, stated this project has grant funding through OKI. The County will be responsible for 20% of the cost. Commissioner Flaig asked a question, Rob responded. 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.

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 DECLARING AS SURPLUS PROPERTY MISCELLANEOUS MAINTENANCE EQUIPMENT TO BE OFFERED FOR AUCTION FROM THE BOONE COUNTY GOLF COURSE MAINTENANCE DEPARTMENT. Matthew Webster, Assistant County Administrator, stated six pieces of equipment were found to be of no use and should be submitted for surplus and auction. 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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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 AWARDING THE BIDS FOR THREE SEPARATE MINI EXCAVATOR MODELS TO OHIO MACHINERY CO. ON BEHALF OF A THREE-COUNTY JOINT BID SOLICITATION FOR BOONE, CAMPBELL AND KENTON COUNTIES. Rob Franxman, County Engineer, stated this bid included all three counties for multiple sized excavators. Commissioner Brewer and Commissioner Flaig asked questions, Rob responded. 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.

**ITEM VIII.**

**FISCAL MATTERS**

A. Judge Moore presented the Invoice Reports dated February 23<sup>rd</sup>, 2021, and pre-paid Invoice Reports dated February 11<sup>th</sup> and February 18<sup>th</sup>, 2021. 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 Reports dated February 23<sup>rd</sup>, 2021, and pre-paid Golf Invoice Reports dated February 11<sup>th</sup> and February 18<sup>th</sup>, 2021. 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.

**ITEM IX.**

**OLD BUSINESS**

Jeff Earlywine, County Administrator, advised that the Graves Road Special Land Use Study will be presented to the Court at our next meeting for a First Reading of the Ordinance. Planning Commission findings and recommendations include three sections in the Report; land use recommendations, zoning districts and review process. Judge Moore introduced Kevin Costello and Matt Becher from the Planning Commission to make comments. Judge Moore stated the first reading will be March 9<sup>th</sup>. Discussion was had involving the process of the scheduling of first and second readings for Ordinances. There will no longer be additional time between readings. Judge Moore also advised the Court of a change in practice, permitting Public comment at First Readings of an Ordinance. Fiscal Court members acknowledged support for this change.

**ITEM X.**

**NEW BUSINESS**

A. Judge Moore asked if there was any new business to come before the Court. Commissioner Brewer wanted to announce the applications for the Youth Cabinet are available and asked what the procedure is for reporting Potholes. Judge Moore commented that Rob Franxman, the County Engineer, is monitoring potholes and the public can report potholes on our website.

B. Commissioner Flaig asked if an update could be given on the housing of homeless through the cold weather. Matthew Webster, Assistant County Administrator, gave statistics and added that federal funding was received for care of the homeless.

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**ITEM XI.**

**CLOSED EXECUTIVE SESSION**

Judge Moore announced that the Court needed to go into Closed Executive Session of the Fiscal Court to discuss proposed litigation involving the County and the possible sale of real property pursuant to KRS 61.810(1)(b) and (c). Commissioner Flaig moved, seconded by Commissioner Kenner, to go into Executive Session. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 4-0.

Commissioner Brewer moved, seconded by Commissioner Kenner, to come out of Executive Session. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 4-0.

**ITEM XII.**

**ADJOURNMENT**

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

Judge Moore announced the next Fiscal Court Meeting will be held Tuesday, March 9<sup>th</sup>, 2021 at 5:30 P.M.

**CLERK CERTIFICATION**

The Fiscal Court Clerk does hereby certify that this is a true and accurate record of the actions taken during the Boone County Fiscal Court meeting of February 23<sup>rd</sup>, 2021.

  
Fiscal Court Clerk

Date: 10 MAR 2021