

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
1st Floor, Fiscal Courtroom
Burlington, Kentucky
Tuesday, April 13, 2021
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.

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 - Absent
Robert D. Neace, 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
Emily Fricke, Assisting Fiscal Court Clerk

ITEM II.

APPROVAL OF MINUTES

A. Judge Moore presented the Minutes from the Fiscal Court Meeting of March 23rd, 2021 for approval. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Minutes from the Fiscal Court Meeting of March 23rd, 2021. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

B. Judge Moore presented the Minutes from the Fiscal Court Meeting of March 31st, 2021 for approval. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Minutes from the Fiscal Court Meeting of March 31st, 2021. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

ITEM III.

PRESENTATIONS

A. Judge Moore presented a Proclamation for National Public Safety Telecommunicators Week. Jim Staverman, Director of the PSCC and members of the Department were present to accept the Proclamation.

B. Judge Moore opened the Hearing for Notice of Violation and introduced Mr. Robert Wilson and Tray Works from Public Works to present safety concerns for an Unfit Structure at 871 Ridgeview Drive, Boone County, KY. Commissioner Flaig asked a question, Robert Wilson responded. Commissioner Kenner asked a question, Jeff Earlywine responded stating the County has a responsibility to address the safety issues. After discussion Judge Moore closed the Hearing. Commissioner Kenner moved, seconded by Commissioner Flaig, to have the property declared an Unfit Structure and secure the property. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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C. Judge Moore introduced Jim Parsons to present a request to establish a TIF District along Old Lexington Pike. Mr. Parsons clarified with maps the exact location of the property. It was decided a Public Hearing would be scheduled.

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 ZACHARY ROELL, TO THE FULL-TIME POSITION OF PUBLIC SERVICES LABORER FOR THE PUBLIC WORKS DEPARTMENT. Lori Zombek, Director of Human Resources, 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 3-0.

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 BAYLEE MOFFETT, TO THE FULL-TIME POSITION OF PUBLIC SERVICES LABORER FOR THE PUBLIC WORKS 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 3-0.

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 JUSTIN EDWARDS 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 Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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 APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF NEW AND RETURNING SEASONALS FOR GOLF COURSE MAINTENANCE 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 3-0.

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 NEW SEASONALS FOR THE PRO SHOP AND CONCESSIONS AT THE BOONE COUNTY GOLF COURSES. Lori Zombek, Director of Human Resources, presented the candidates. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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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 NEW AND RETURNING SEASONAL MAINTENANCE AND NATURAL AREAS STAFF FOR THE BOONE COUNTY PARKS DEPARTMENT. 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 3-0.

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 ADOPTING THE I-275/GRAVES ROAD INTERCHANGE STUDY, A LAND USE AND ZONING STUDY THAT INCLUDES A SERIES OF AMENDMENTS THAT AFFECT THE BOONE COUNTY ZONING REGULATIONS, TEXT AND MAP, AND INCLUDES A LAND USE PLAN AND LAND USE REGULATIONS. Judge Moore and Jeff Earlywine, County Administrator, commented on what action has been taken on this project. Several people from the audience spoke, Brian Dunham; Mike Kirkwood, Randy Graves and Ms. Holladay. Judge Moore announced the Second Reading will be April 27, 2021.

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, KENTUCKY, APPROVING, WITH CONDITIONS, A REQUEST OF ZIMMER MOTORS (APPLICANT) FOR FLORENCE BAPTIST CHURCH (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM PUBLIC FACILITIES (PF) TO COMMERCIAL SERVICES (C-3), AND TWO VARIANCES FROM SECTION 3620 "LANDSCAPING ALONG STREET FRONTAGES" TO REDUCE THE WIDTH OF THE STREET FRONTAGE LANDSCAPING AREA FROM 10 FEET MINIMUM TO 0 FEET AND A FROM SECTION 3645 "BUFFER YARDS: TO REDUCE THE WIDTH OF THE LANDSCAPE BUFFER YARD ALONG THE REAR PROPERTY LINE FROM BUFFER YARD C (30' AND 60' OPTIONS) TO 20 FEET FOR AN APPROXIMATE 3 ACRE SITE LOCATED AT 1050 BURLINGTON PIKE, BOONE COUNTY, KENTUCKY. Mike Schwartz from the Planning Commission presented slides on this project. Commissioner Flaig asked a question. Judge Moore announced that Second Reading will be April 27, 2021

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, APPROVING THE EXECUTION OF A LOCAL DEVELOPMENT AREA AGREEMENT RELATING TO THE ESTABLISHMENT AND IMPLEMENTATION OF A LOCAL DEVELOPMENT AREA TAX INCREMENT FINANCING DISTRICT KNOWN AS THE MARYDALE LOCAL DEVELOPMENT AREA WITHIN THE CITY OF FLORENCE, KENTUCKY. Judge Moore presented the background and information for this Ordinance. Jim Parsons spoke for the City of Florence. Judge Moore announced that Second Reading will be April 27, 2021.

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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, KENTUCKY, AMENDING ORDINANCE NO. 2019-17, ENACTED ON JULY 23, 2019, AND ORDINANCE NO. 2020-19 AMENDED ON AUGUST 25, 2020, RELATING TO THE USE OF GOLF CARTS ON CERTAIN DESIGNATED COUNTY STREETS AND ROADWAYS IN THE RIVERS POINTE SUBDIVISION-PHASE 2. Rob Franxman, County Engineer, presented the information, no questions were presented. Judge Moore announced that Second Reading will be April 27, 2021

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 HANK FEDDERS TO THE BOONE COUNTY BUILDING INSPECTOR APPEALS BOARD. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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 DON ROENKER TO THE BOONE COUNTY BUILDING INSPECTOR APPEALS BOARD. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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 RE-APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF LAURA WEBB THOMPSON TO THE TRANSIT AUTHORITY OF NORTHERN KENTUCKY (TANK) BOARD. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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 AUTHORIZING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO SIGN AND EXECUTE ANY AND ALL DOCUMENTS RELATED TO, AND TO APPROVE THE ASSISTED HOUSING ANNUAL PLAN FOR FY2021. Boubacar Diallo, Director of Assisted Housing, stated they are on track and continuing with the five-year 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 3-0.

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 A SECOND ROUND OF FISCAL YEAR 2021 MID-YEAR TAX FUND ALLOCATIONS FOR DESIGNATED SOCIAL SERVICE AGENCIES.. Laura Pleiman, Director of Human Services, presented slides for each allocation. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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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 A LAND CONTRACT WITH THE COMMONWEALTH OF KENTUCKY FOR A CONSERVATION EASEMENT FOR THE FILO WETLAND AND STREAM MITIGATION PROJECT IN MIDDLE CREEK PARK IN BOONE COUNTY, KENTUCKY. Jeff Earlywine, County Administrator, explained the project. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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 AND ACCEPTING THE OFFER TO PURCHASE FOR PROPERTY LOCATED AT 3261 MAPLEWOOD DRIVE FROM THE NORTHERN KENTUCKY COMMUNITY ACTION COMMISSION. Jeff Earlywine, County Administrator, commented this property will only be used for government/non-profit operations. 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 3-0.

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 AWARDDING THE BID FOR SIDEWALKS ALONG BEEMON ROAD AND CONRAD LANE AND A MULTI-USE PATH ON IDLEWILD ROAD TO STRAIGHT EDGE CONSTRUCTION AT THE BID PRICE OF \$372,304.00. Rob Franxman, County Engineer, stated that Straight Edge presented a bid that was lower than the initial estimate. Project should be completed by November, 2021. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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 AWARDDING THE BID FOR TWELVE (12) 2021 DODGE DURANGO, ALL-WHEEL DRIVE SUV INTERCEPTOR UNITS AT THE BID PRICE OF \$393,804.00 TO JOHN JONES POLICE PURSUIT VEHICLES FOR THE BOONE COUNTY SHERIFF'S DEPARTMENT. Jeff Earlywine, County Administrator, presented the bids. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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 AWARDDING THE BID FOR FOUR (4) 2021 JEEP GRAND CHEROKEE LAREDO SUV ADMINISTRATIVE UNITS AT THE BID PRICE OF \$116,776.00 TO ZIMMER MOTORS FOR THE BOONE COUNTY SHERIFF'S DEPARTMENT. Jeff Earlywine, County Administrator, stated that Zimmer Motors met all requirements. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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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 ALL BIDS RECEIVED MARCH 3, 2021, FOR A BASEBALL BACKSTOP AT CENTRAL PARK FOR THE BOONE COUNTY PARKS DEPARTMENT. David Whitehouse, Director of Parks, explained the project cost was more than he anticipated and wants to reject the bids to use the funds elsewhere. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

ITEM VIII. **FISCAL MATTERS**

A. Judge Moore presented the Invoice Reports dated April 13th, 2021, and pre-paid invoice reports dated March 25th, April 1st, and April 8th, 2021. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Invoice Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

B. Judge Moore presented the Golf Invoice Reports dated April 13th, 2021, and pre-paid invoice reports dated March 25th, April 1st, and April 8th, 2021. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Golf Invoice Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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**

A. Jeff Earlywine, County Administrator, introduced Mike Schwartz from Planning Commission. Mike explained the short-term rental study. Commissioner Flaig asked a question, Mr. Schwartz responded. The Court was in agreement to move forward and ask the Planning Commission to pursue a formal amendment to the official Zoning Ordinance, aligning with similar regulations enacted by the City of Florence.

ITEM XI. **ADJOURNMENT**

Judge Moore called for adjournment of the Fiscal Court Meeting. Commissioner Kenner moved, seconded by Commissioner Flaig, to adjourn the meeting. ALL PRESENT VOTING - AYE 3-0.

NEXT FISCAL COURT MEETING – Tuesday, April 27th, 2021 @ 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 April 13th, 2021.


Fiscal Court Clerk

Date: 28 April 2021