

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**1st Floor, Fiscal Courtroom**  
**Burlington, Kentucky**  
**Tuesday, April 27, 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 Charles E. Kenner 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  
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  
Sharon Burcham, Fiscal Court Clerk

**ITEM II.**

**APPROVAL OF MINUTES**

A. Judge Moore presented the Minutes from the Fiscal Court Meeting of April 13<sup>th</sup>, 2021 for approval. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Minutes from the Fiscal Court Meeting of April 13<sup>th</sup>, 2021. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 4-0.

Judge Moore asked the Court if they would agree to move Item V. A to the front of the Agenda, all agreed. 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 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. Jeff Earlywine, County Administrator, stated this is one of the prime sites in Northern Kentucky. It will be a mixed-use development. A TIF District will be created and the County will participate with the City of Florence on the project. 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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**ITEM III.**

**PRESENTATIONS**

Judge Moore introduced Pat Hoagland and Keith Rodenhauer from Brandstetter-Carroll to present the Parks Master Plan. Mr. Hoagland stated with forethought and planning the County can keep up with all the changes. The County has 1,800 acres within 21 parks. Surveys were sent to random households in the County and 710 were returned. Judge Moore thanked the Steering Committee for all their work. Commissioner Brewer asked a questions, Mr. Hoagland responded. Scott Nichols from the NKYS league contributed the number of soccer players they support. David Whitehouse, Director of Parks, thanked the members of various Partners that participated with the planning, Mountain Biking, Conservancy and Matt Becher, Planning Commission.

Judge Moore presented a Proclamation to Cooper High School Freshman Peyton Moore, as the KHSAA 2021 State Girls Diving Champion and a Proclamation for St Henry District High School Senior Aidan Stigall as the KHSAA 2021 State Boys Diving Champion. They were both present and pictures were taken.

**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 JOSHUA SWEENEY TO THE POSITION OF HELP DESK SPECIALIST FOR THE DEPARTMENT OF INFORMATION SYSTEMS. Lori Zombek, Director of Human Resources, 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.

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 CHARLOTTE HALLIBURTON TO THE PART-TIME POSITION OF TAX SPECIALIST IN THE OCCUPATIONAL LICENSE TAX DEPARTMENT. Lori Zombek, Director of Human Resources, presented the candidate. 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 COLTON SHINKLE, AS A PARK LABORER FOR THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek, Director of Human Resources, 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.

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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 SEASONAL NEW AND RETURNING PROGRAM LEADERS FOR DAY CAMP, NATURAL AREA AND LANDSCAPING 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 4-0.

**ITEM V.**

**ORDINANCES**

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 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 explained that the process for going through the Planning Commission has not changed, it is not a longer process. Judge Moore stated there are 3 areas up for discussion. Mr. Dan Tobergte representing the Stapleton, Holladay, Goodridge and Conner property owners stated they do not agree with the 45% limitations. Ms. Amy Stoffer of Liberty Crossing gave suggestions. Jeff Earlywine, County Administrator, stated new information is not a part of the record and cannot be accepted. Donna Conner spoke against the 45% restrictions. Mr. Randy Graves asked to not impose the 45% limitations. Mrs. Sue Graves stated her family came to Boone County in 1798 owning 5,333 acres. She asked to remove the 45% limitations. Cathy Hankins asked that the percentage be eliminated. Mr. Bryan Dunham, attorney for the Graves Family asked that the County eliminate the 45%, adopt the study without the 45% limitation. Mr. Dave Holladay asked if the 45% allowance would remain on each side. Mr. Donald Quailes asked that there be no more truck traffic. Kevin Costello, Director of Planning Commission stated the purpose of the study was to create mixture of zoning for the area. After lengthy deliberation, 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

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, 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. Judge Moore stated there is an added condition per Commissioner Flaig's suggestion pertaining to the timing of loading and unloading of vehicles from trucks. 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

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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, 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. 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-APPOINTMENTS, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF JENNIFER GULICK, JACK LUNDY AND AARON ANDERSON TO THE BOONE COUNTY URBAN FORESTRY COMMISSION. 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 ADOPTING AND APPROVING THE EXECUTION OF A COUNTY ROAD AID CO-OP PROGRAM AGREEMENT BETWEEN THE BOONE COUNTY FISCAL COURT AND THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET, DEPARTMENT OF RURAL AND MUNICIPAL AID, FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, AS PROVIDED IN THE KENTUCKY REVISED STATUTES AND ACCEPTING ALL ROADS AND STREETS REFERRED TO THEREIN AS BEING A PART OF THE COUNTY ROAD SYSTEM. Jeff Earlywine, County Administrator, stated this is an annual item. 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 VII. B: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING AN AGREEMENT FROM STRAND ASSOCIATES, INC., TO PROVIDE DESIGN SERVICES TO BOONE COUNTY FOR THE KY 237 MULTI-USE PATH IN THE AMOUNT OF \$109,756.00. Rob Franxman, County Engineer, stated this Agreement will allow the County to accept federal funding for this project of Phase 2 of the multi-use path along 237. Construction should be complete in 2022. 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 A CONTRACT WITH GRW ENGINEERS, INC., TO PROVIDE DESIGN AND CONSTRUCTION SERVICES TO BOONE COUNTY FOR TURN LANES ON KY 20 AT AVIATION BOULEVARD IN THE AMOUNT OF \$149,639.00. Rob Franxman, County Engineer, stated GRW is the approved consultant for this project. Design will be complete in 2022 with construction slated for October, 2022. 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.

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D. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. D: A RESOLUTION OF THE BOONE COUNTY FISCAL COURT AUTHORIZING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE TO EXECUTE THE MEMORANDUM OF AGREEMENT PERTAINING TO THE NORTHERN KENTUCKY REGIONAL HAZARD MITIGATION PLAN TO BE PUT IN PLACE FOR ALL BOONE COUNTY RESIDENTS. Jeff Earlywine, County Administrator, stated this MOA will review and update the Hazard Mitigation Plan and make the County FEMA compliant. 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.

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 MAKING APPLICATION FOR REIMBURSEMENT OF COUNTY FUNDS UTILIZED FOR THE TRANSPORTATION OF NON-PUBLIC SCHOOL STUDENTS DURING THE SCHOOL YEAR OF 2020-2021. Ben Reece, County Treasurer, stated this is a contract with the School 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 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 DECLARING AS SURPLUS PROPERTY A 2005 FORD F-550 DUMP TRUCK, TO BE TRANSFERRED TO THE CITY OF BUTLER, KENTUCKY, AT THE PRICE OF \$4,000.00 FROM THE PUBLIC WORKS DEPARTMENT. Jeff Earlywine, County Administrator, stated this item is out of use for the County and is in need of repair. The City of Butler has asked to purchase the vehicle. 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.

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 DECLARING AS SURPLUS PROPERTY VEHICLES AND MISCELLANEOUS EQUIPMENT FROM THE SHERIFF'S DEPARTMENT AND EMERGENCY MANAGEMENT TO BE SUBMITTED TO GOVDEALS.COM FOR AUCTION. Rob Franxman, County Engineer, stated there are 21 various items that need to be declared surplus. 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 APPROVING THE FORMATION OF THE BOONE COUNTY ARCHIVE COMMISSION. Judge Moore recognized Retired Judge Anthony Frohlich for his work on this project. Matthew Webster, Assistant County Administrator, explained this is to protect and preserve historical documents. An Advisory Board will be created to oversee the ongoing project. Bridget Stricker from the Library commented this is a great opportunity and a collaborative effort with the State. 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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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 FOR INSTALLATION OF EMERGENCY EQUIPMENT ON FUTURE SHERIFF INTERCEPTOR VEHICLES TO 911 FLEET & FIRE EQUIPMENT HOLDINGS, LLC, AT THE BID PRICE OF \$5,183.90 PER VEHICLE. Rob Franxman, County Engineer, stated bids were received for installation of equipment and partitions in Sheriff vehicles. The lowest bidder did not hold the necessary certifications for the work to be performed. 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.

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 AWARDING THE BID FOR ROCK SALT FOR BOONE COUNTY AND THE CITY OF FLORENCE TO MORTON SALT THROUGH THE KACO REVERSE ONLINE SALT AUCTION AT THE BID PRICE OF \$84.50 PER TON, DELIVERED. Rob Franxman, County Engineer, stated there were 5 bids received, the County used 7,000 Tons of salt last year. 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 VIII.**

**FISCAL MATTERS**

A. Judge Moore presented the Invoice Reports dated April 27<sup>th</sup>, 2021, and pre-paid invoice reports dated April 14<sup>th</sup>, April 15<sup>th</sup> and April 22<sup>nd</sup>, 2021. 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 Reports dated April 27<sup>th</sup>, 2021, and pre-paid invoice reports dated April 15<sup>th</sup> and April 22<sup>nd</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.

C. Judge Moore presented the Treasurer's Report, Inter-fund Transfers and Financial Statements for the Seven Month Period Ending February 28<sup>th</sup>, 2021. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Treasurer's Report, Inter-fund Transfers and Financial Statements for the Seven Month Period Ending February 28<sup>th</sup>, 2021. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 4-0.

**ITEM IX.**

**OLD BUSINESS**

A. Jeff Earlywine, County Administrator, asked Lori Zombek, Director of Human Resources to give an update on the Compensation Study. Lori stated the Report needed some fine tuning before it is presented. Jeff stated there has been a lot of progress and also indicated that lump amount appropriations would be included in the budget and the Staff would provide a detailed report before implementation. Rob Franxman, County Engineer, stated several members of the Public Works Department has been committed to this Study, he recognized Tyler Hill in attendance for the meeting and shared several instances of the dedication of his team members.

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Dan Tobertge, a resident of Hebron, commented on the efficient handiwork of the County in response to a request to fill a pothole in his neighborhood.

Jeff Earlywine, County Administrator, stated the Court would be engaging in several TIF District projects in the coming meetings. Due to an amended Statute, time is of the essence.

**ITEM X.** **NEW BUSINESS**

A. Judge Moore asked if there was any New Business to come before the Court. Commissioner Jesse Brewer wished his 9 year old daughter, Avery, a Happy Birthday.

**ITEM XI.** **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.

**Budget Workshop – Thursday, May 6, 2021 @ 5:30 P.M.**

**NEXT FISCAL COURT MEETING – Tuesday, May 11<sup>th</sup>, 2021 @ 5:30 P.M.**

**Announcements:**

Judge Moore offered condolences to the family of Steve Hearne, a former employee of the County, Commissioner Brewer for the passing of his father, Greg Brewer and announced the Mr. Don Kastle had passed.

**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 27<sup>th</sup>, 2021.

  
**Fiscal Court Clerk**

Date: 12 May 2021