

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
1st Floor, Fiscal Courtroom
Burlington, Kentucky
Tuesday, June 8, 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
Sharon Burcham, Fiscal Court Clerk
Maj. Gary Peace, Sheriff's Department

ITEM II.

APPROVAL OF MINUTES

A. Judge Moore presented the Minutes from the Fiscal Court Meeting of May 25th, 2021 for approval. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Minutes from the Fiscal Court Meeting of May 25th, 2021. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

Judge Moore announced that Commissioner Brewer would not be in attendance today.

ITEM III.

PRESENTATIONS

- A. Judge Moore presented a Proclamation for National Garden Club Week to the Boone County Garden Club Members.
- B. Judge Moore presented a Proclamation to Hannah Thompson- Cooper High School Wrestling Champion.

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 APPROVING THE TERMINATION OF PAUL BERGELT, TRUCK DRIVER/OPERATOR FOR THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek, Director of Human Resources explained. 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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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 NEW SEASONAL EMPLOYEES FOR PARKS PROGRAMS, DAY CAMPS AND PARK MAINTENANCE 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: First Reading of AN ORDINANCE OF 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 BLUE GRASS METALS UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM (KRS 154.32-010–KRS 154.32-100). Jeff Earlywine, County Administrator, stated this is a company that has been in the community, they are expanding bringing 200 new jobs and a \$50M investment. Judge Moore stated the Second Reading will be June 22nd.

B. Judge Moore asked the Fiscal Court Clerk to read into the record the First Reading of Item V. B: First Reading of AN ORDINANCE OF 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 MEYER TOOL COMPANY UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM. Judge Moore stated this is a successful company in Boone County. Date of Second Reading will be June 22nd.

C. Judge Moore asked the Fiscal Court Clerk to read into the record the First Reading of Item V. C: First Reading of AN ORDINANCE OF 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 ARMOR USA, INC UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM. Judge Moore stated the date of Second Reading will be June 22nd.

D. Judge Moore asked the Fiscal Court Clerk to read into the record the First Reading of Item V. D: First Reading of AN ORDINANCE OF 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 GIVAUDAN FLAVORS COPRORATION UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM. Judge Moore stated the date of Second Reading will be June 22nd.

E. Judge Moore asked the Fiscal Court Clerk to read into the record the First Reading of Item V. E: First Reading of AN ORDINANCE OF 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 BEST SANITIZERS, INC. UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM. Judge Moore stated the date of Second Reading will be June 22nd.

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F. Judge Moore asked the Fiscal Court Clerk to read into the record the Second Reading of Item V. F: Second Reading of AN ORDINANCE OF THE COUNTY OF BOONE, KENTUCKY (THE "COUNTY") RESCINDING AND REPEALING ORDINANCE 07-03 ADOPTED ON JANUARY 16, 2007, IN ITS ENTIRETY THAT RELATED TO THE AUTHORIZATION AND ESTABLISHMENT OF A DEVELOPMENT AREA FOR INFRASTRUCTURE DEVELOPMENT KNOWN AS THE "BOONE COUNTY, DEVELOPMENT AREA NO. 2"; THE ESTABLISHMENT OF A PERCENTAGE OF INCREMENT THAT THE COUNTY OF BOONE WOULD DISTRIBUTE EACH YEAR; PROVIDED FOR A REQUEST FOR INCREMENTS FROM BOONE COUNTY IN ACCORDANCE WITH AND PURSUANT TO THE PROVISIONS OF THE INCREMENTAL FINANCING FOR ECONOMIC DEVELOPMENT ACT, KRS 65.680 TO 65.699 THAT APPROVED AND AUTHORIZED THE MAXIMUM AMOUNT OF INCREMENTS TO BE SUBMITTED; AND TO TAKE SUCH OTHER ACTIONS AS ARE NECESSARY OR REQUIRED WITH RESPECT TO THE ESTABLISHMENT OF THE "BOONE COUNTY DEVELOPMENT AREA NO. 2", INCLUDING THE AUTHORITY TO ENTER INTO GRANT CONTRACTS WITH OTHER CITIES OR COUNTIES AND TO IMPOSE ASSESSMENT FEES ON NEWLY CREATED JOBS WITHIN THE DEVELOPMENT AREA. Jeff Earlywine, County Administrator, stated the First Reading and the Public Hearing has been conducted for this action. There are no businesses on the property, just open land at this time. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Ordinance. 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 the First Reading of Item V. G: Second Reading of AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, ESTABLISHING A LOCAL DEVELOPMENT AREA FOR ECONOMIC DEVELOPMENT PURPOSES WITHIN THE COUNTY OF BOONE, KENTUCKY, TO BE KNOWN AS THE CVG7 AIRPARK LOGISTICS LOCAL DEVELOPMENT AREA (THE "LOCAL DEVELOPMENT AREA"); APPROVING A LOCAL DEVELOPMENT AREA AGREEMENT; ESTABLISHING AN INCREMENTAL TAX SPECIAL FUND FOR PAYMENT OF REDEVELOPMENT ASSISTANCE; DESIGNATING THE FINANCE DEPARTMENT OF THE COUNTY OF BOONE, KENTUCKY, AS THE AGENCY RESPONSIBLE FOR OVERSIGHT, ADMINISTRATION, AND IMPLEMENTATION OF THE LOCAL DEVELOPMENT AREA; AND AUTHORIZING THE COUNTY JUDGE/EXECUTIVE AND OTHER OFFICIALS TO TAKE SUCH OTHER APPROPRIATE ACTIONS AS ARE NECESSARY OR REQUIRED IN CONNECTION WITH THE ESTABLISHMENT OF THE LOCAL DEVELOPMENT AREA. Jeff Earlywine, County Administrator, stated there are no changes since the First Reading. Judge Moore advised this is a quality development and truck parking has been incorporated into the design. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

H. Judge Moore asked the Fiscal Court Clerk to read into the record the First Reading of Item V. H Second Reading of AN ORDINANCE OF THE COUNTY OF BOONE, KENTUCKY (THE "COUNTY") ESTABLISHING A LOCAL DEVELOPMENT AREA FOR ECONOMIC DEVELOPMENT PURPOSES WITHIN THE COUNTY OF BOONE, KENTUCKY, TO BE KNOWN AS THE DIXIE HIGHWAY LOCAL DEVELOPMENT AREA #2, (THE "LOCAL DEVELOPMENT AREA") APPROVING THE LOCAL DEVELOPMENT AREA; ESTABLISHING AN INCREMENTAL TAX SPECIAL FUND FOR PAYMENT OF REDEVELOPMENT ASSISTANCE; DESIGNATING THE FINANCE DEPARTMENT OF THE COUNTY OF BOONE AS THE AGENCY RESPONSIBLE FOR OVERSIGHT, ADMINISTRATION, AND IMPLEMENTATION OF THE LOCAL DEVELOPMENT AREA; AND AUTHORIZING THE COUNTY JUDGE/EXECUTIVE AND OTHER OFFICIALS TO TAKE SUCH OTHER APPROPRIATE ACTIONS AS ARE NECESSARY OR REQUIRED IN CONNECTION WITH THE ESTABLISHMENT OF THE LOCAL DEVELOPMENT AREA. Jeff Earlywine, County Administrator,

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sated there is no plan on record currently for this site. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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 BRYAN CARLISLE AS BOONE COUNTY'S REPRESENTATIVE TO THE CVG AIRPORT BOARD. Judge Moore stated Mr. Carlisle is a valuable member of the 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 CANDACE McGRAW AND THE NEW APPOINTMENT OF LEWIS DIAZ TO THE TRI-COUNTY ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS. Judge Moore stated Lewis Diaz is a new appointment. 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 EDWARD DIVINE TO THE POINT PLEASANT FIRE PROTECTION DISTRICT BOARD OF TRUSTEES. Commissioner Flaig asked a question, Judge Moore 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 3-0.

D. Judge Moore asked the Fiscal Court Clerk to read into the record Item VI. D: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE RE-APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF BRAD SCHWENKE TO THE UNION FIRE PROTECTION DISTRICT BOARD OF TRUSTEES. 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 VI. E: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE RE-APPOINTMENT BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF LARRY BARGER TO THE WALTON FIRE PROTECTION DISTRICT BOARD OF TRUSTEES. 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 VI. F A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE RE-APPOINTMENT BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF BILL WETHINGTON TO THE BULLOCK PEN WATER DISTRICT 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.

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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 RECOMMENDATIONS OF THE BOONE COUNTY TAX ADVISORY BOARDS AS IT RELATES TO SUPPORTING INTELLECTUAL DISABILITY, AGING AND MENTAL HEALTH PROGRAMS DURING FISCAL YEAR 2022 IN THE AMOUNT OF \$2,128,000.00 IN TOTAL ALLOCATIONS A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT. Laura Pleiman, Director of Human Services presented the Annual Review showing historical trends and requests. Funding recommendations were presented. Commissioner Kenner asked a question, Laura responded. Commissioner Flaig asked a question, Laura responded. Judge Moore thanked all members of the 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.

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 PROFESSIONAL SERVICES AGREEMENT WITH CASHVEST (THREE+ONE) TO PROVIDE CERTAIN FIDUCIARY ADVICE AND CONSULTATION TO THE COUNTY. Jeff Earlywine, County Administrator, advised this is not a Financial Advisor. They assist governments with cash flow levels, investing idle funds and maximize their return. This is a one-year contract priced at \$250 per \$1M of the County's Budget. Commissioner Flaig asked a question, 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 3-0.

C. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. C: A RESOLUTION OF THE BOONE COUNTY FISCAL COURT AUTHORIZING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE TO EXECUTE THE AGREEMENTS BETWEEN THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET AND BOONE COUNTY FOR THE FROGTOWN CONNECTOR ROAD SIDEWALKS, THE SAM NEACE DRIVE SIDEWALKS AND THE BURLINGTON-KY 18 SIDEWALK PROJECTS. Rob Franxman, County Engineer, stated OKI has awarded funding for sidewalks. County is responsible for 20% of the costs. 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 AWARDDING THE BID TO REPLACE THE EXISTING BRIDGE AT PEEL ROAD OVER WOOLPER CREEK TO SUNESIS CONSTRUCTION COMPANY AT THE BID PRICE OF \$348,106.77. Rob Franxman, County Engineer, stated 5 bids were received. This project will be a box culvert in lieu of a bridge. Commissioner Flaig asked a question, Rob 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.

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E. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT REJECTING THE BID FOR MEDICAL DIRECTOR SERVICES FROM ADVANCED CORRECTIONAL HEALTHCARE AND APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH UNIFIED MEDICAL DIRECTION, LLC, FOR MEDICAL DIRECTOR SERVICES AT THE BID PRICE OF \$5,000.00 PER MONTH FOR THE BOONE COUNTY JAIL. Jeff Earlywine, County Administrator, stated this is for an in-house medical services program. Dr. Murray is involved with the SWAT Team and local Fire Departments. Commissioner Flaig asked a question, Jeff 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.

ITEM VIII.

FISCAL MATTERS

A. Judge Moore presented the Invoice Reports dated June 8th, 2021, and a Pre-Paid Invoice Report dated June 3rd, 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 Golf Invoice Report dated June 8th, 2021, and a Pre-Paid Golf Invoice Report dated June 3, 2021. 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 3-0.

C. Judge Moore presented the Fiscal Court Order #1. A Fiscal Court Order of the Boone County Fiscal Court authorizing transfers in the amount of \$5,103,456.00 within the adopted Fiscal Year 2020-2021 Budget. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Fiscal Court Order. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

ITEM IX.

OLD BUSINESS

Judge Moore asked if there was any Old Business to bring before the Court. Jeff Earlywine, County Administrator, advised the Court that NKCAC has received a grant for the operation and ownership of the Maplewood facility.

ITEM X.

NEW BUSINESS

Judge Moore asked if there was any New Business to bring before the Court, none presented.

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, June 22nd, 2021 @ 5:30 P.M.


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Announcements:

David Whitehouse, Director of Parks, shared the Parks Movie nights.

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 June 8th, 2021.


Fiscal Court Clerk

Date: 23 JUNE 2021