

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, August 22nd, 2023
5:30 P.M.

ITEM I. **CALL TO ORDER**

- A. Judge Gary W. Moore called to order the meeting of the Boone County Fiscal Court.
- B. Commissioner Chet Hand 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
Chet Hand, Commissioner, District 2
Jesse A. Brewer, Commissioner, District 3

Members of the Staff and Other Officials Present:

Matthew H. Webster, County Administrator/Deputy Judge/Executive
Robert Franxman, County Engineer/Assistant County Administrator
Robert Notton, County Treasurer/Finance Director
Lori Zombek, Director of Human Resources
Jordan Dallas Turner, County Attorney
Col Les Hill, Sheriff's Department
Shona Schulkers, Fiscal Court Clerk

Members of the Staff and Other Officials Absent:

William Knoebel, Assistant County Attorney

ITEM II. **APPROVAL OF MINUTES**

- A. Judge Moore presented the Minutes from the Fiscal Court Meeting of August 8th, 2023, for approval. Commissioner Flaig moved, seconded by Commissioner Hand, to approve the Minutes from the August 8th, 2023, meeting. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

ITEM III. **PRESENTATIONS**

- A. Louis Kelly, Commonwealth's Attorney – Supplemental FY24 Request (Corresponding Item VII. F). The request is for a full-time Assistant Commonwealth's Attorney to focus on drug possession cases that include the Rocket Docket Program and a new initiative to charge deaths with felony homicide. There have been 556 conviction cases with 216 of them being direct possession. Commissioners Flaig, Hand and Brewer asked questions, Louis Kelly and Judge Moore answered. Commissioner Brewer added comments.

Judge Moore asked the Fiscal Court Clerk to read into the record, Item VII. F, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING A SUPPLEMENTAL ALLOCATION FOR THE CURRENT FISCAL YEAR FOR A NEW FULL-TIME ASSISTANT COMMONWEALTH'S ATTORNEY IN THE COMMONWEALTH'S ATTORNEY OFFICE. 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 IV. **PERSONNEL MATTERS**

- A. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, August 22nd, 2023
5:30 P.M.

COMMUNICATIONS SENIOR MANAGER IN THE JUDGE/EXECUTIVE OFFICE. Judge Moore stated that this is due to the restructuring of the senior management team. Commissioner Hand asked a question, Matthew Webster answered. Commissioner Hand 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, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF JOHN SHELTON TO THE POSITION OF FOOD AND BEVERAGE SUPERVISOR FOR THE BOONE COUNTY GOLF COURSES. Judge Moore stated this is due to the retirement of Jessie Wiley. Lori Zombek added John has 20 years of food and beverage experience. 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).
- C. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF A NEW SEASONAL ARBORETUM INTERN FOR THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek presented the candidate. Commissioner Flaig moved, seconded by Commissioner Hand, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).
- D. Judge Moore asked to remove this item from the agenda as the candidate has withdrawn. Commissioner Flaig moved, seconded by Commissioner Hand, to remove 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, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENTS, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF BROOKLYN WESTERMAN AND ASHLEY (ELIZABETH) SCHWANENBERGER TO THE POSITION OF TELECOMMUNICATOR (DISPATCHERS) FOR THE PUBLIC SAFETY COMMUNICATION CENTER. Lori Zombek presented the candidates. Commissioner Hand asked a question, Lori Zombek answered. Commissioner Hand 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, a First Reading of AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT, KENTUCKY RECOMMENDING APPROVAL, WITH CONDITIONS, FOR A REQUEST OF TONY BERLING (APPLICANT) FOR IRELAND PROPERTIES, LLC (OWNER) FOR A CHANGE OF CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) DISTRICT FOR AN APPROXIMATE 3.26 ACRE AREA LOCATED AT 5765 CONSTITUTION DRIVE, BOONE COUNTY, KENTUCKY. Michael Schwartz, Director of Zoning Services presented the request via PowerPoint. The request is for a 4,000 sq. foot building and an 8,000 sq. foot building expansion. Judge Moore asked if there was anyone that would like to speak in opposition, there was none. Commissioner Hand asked a question, Michael Schwartz answered. Judge Moore stated the Second Reading will be on 9/5/23.

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, August 22nd, 2023
5:30 P.M.

- B. Judge Moore asked the Fiscal Court Clerk to read into the record, a First Reading of AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT, KENTUCKY RECOMMENDING APPROVAL, WITH CONDITIONS, FOR A REQUEST OF NORTHERN KENTUCKY AGGREGATES, INC., PER DENNIS GARRISON (APPLICANT) FOR TIMOTHY WILLIAM HITZFIELD, DANIEL LYNCH HITZFIELD, JOSEPH GERARD HITZFIELD, AND NANCY HITZFIELD (OWNERS) FOR A ZONING MAP AMENDMENT FROM RURAL SUBURBAN (RS) TO INDUSTRIAL THREE SURFACE MINING (I-3) FOR AN APPROXIMATE 32 ACRE AREA LOCATED AT 3989 BELLEVIEW ROAD, BOONE COUNTY, KENTUCKY. Michael Schwartz, Director of Zoning Services presented the request via PowerPoint. The request is for the continued mining of sand and gravel. This is not new mining, only moving the operation to the south. Michael Schwartz reported on the proponents and opponents of the public meeting. Judge Moore asked if there was anyone that would like to speak in opposition, James Barth, 4145 Adena Trail, approached the podium with a question. Judge Moore asked if anyone for the applicant/owner would like to speak, Loren Wolff with DBL Law for the applicant approached the podium with additional comments. Dennis Garrison, President of Northern Kentucky Aggregates spoke about the continuation of the operation. Commissioner Flaig asked a question, Loren Wolff answered. Commissioner Hand asked a question, Michael Schwartz answered. Judge Moore added comments. Loren Wolff added comments. Mr. Kiser, Engineer for the applicant added comments. Commissioner Hand asked a question, Mr. Kiser answered. Discussions ensued. Judge Moore stated the Second Reading will be on 9/5/23.

ITEM VI.

JUDGE'S REPORT

- A. None.

ITEM VII.

ADMINISTRATIVE MATTERS

- A. Judge Moore asked the Fiscal Court Clerk to read into the record, 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. Matthew Webster reported on the tax rate set by the health board. There is no change to the current rate, which is added to the tax bill as a convenience to the taxpayer. Judge Moore added comments. Commissioners Flaig and Brewer asked a question, George Moore, NKY Health Department Administrator answered. Judge Moore and Commissioner Brewer added comments. Mr. Cicero, from the audience asked a question. Judge Moore and George Moore answered. Commissioner Hand 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, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT ESTABLISHING THE 2023 AD VALOREM TAX RATES FOR BOONE COUNTY, KENTUCKY. Matthew Webster reported on the certified tax rate via PowerPoint. The recommendation is for the real property tax rate to be reduced from 9.8 cents/\$100 to 9.6 cents/\$100 and personal property rate to be reduced from 12.6 cents/\$100 to 10.10 cents/\$100 with motor vehicle staying the same as 14.2/\$100. Judge Moore added comments. Commissioner Hand asked questions, Matthew Webster and Rob Notton answered. Commissioner Brewer added comments and asked a question, Matthew Webster answered. Judge Moore added comments. Mr. Cicero, from the audience, asked questions, Judge Moore and Commissioner Brewer answered. Discussion ensued.

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, August 22nd, 2023
5:30 P.M.

- 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).
- C. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT DECLARING INMOTION ONBOARD MOBILE GATEWAYS AS SURPLUS FROM THE PUBLIC SAFETY COMMUNICATION CENTER. Matthew Webster reported on the surplus devices that are now obsolete. Commissioner Flaig moved, seconded by Commissioner Hand, 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, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT DECLARING VEHICLES AS SURPLUS FROM THE PUBLIC WORKS DEPARTMENT. Rob Franxman reported on the vehicles that have been removed from service. Commissioner Flaig asked a question, Rob Franxman answered. Commissioner Flaig moved, seconded by Commissioner Hand, 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, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDING A BID FOR RECYCLING ROLL-OFF CONTAINERS AND BINS IN THE PUBLIC WORKS DEPARTMENT SOLID WASTE DIVISION TO PRO-TRAINER. Rob Franxman reported on the bid, which was lower than the proposed amount on the grant application Commissioners Brewer and Flaig asked a question, Rob Franxman answered. Commissioner Brewer moved, seconded by Commissioner Hand, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).
- F. Read during the presentation.

ITEM VIII.

FISCAL MATTERS

- A. Commissioner Hand asked questions, Matthew Webster answered. Commissioner Brewer moved, seconded by Commissioner Hand to approve Invoice and Golf Invoice Reports dated August 22nd, 2023. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).
- B. Commissioner Flaig moved, seconded by Commissioner Hand to approve Pre-Paid Invoice Report dated August 17th and August 10th, 2023. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

ITEM IX.

OLD BUSINESS

- A. Parks Ordinance Update - Commissioner Jesse Brewer reported on the request to permit alcohol sales in county parks for special events. He would like to draft an ordinance update. Matthew Webster stated that the staff would make recommended amendments to the ordinance and suggested putting a committee together to report back to the court. Commissioner Flaig asked a question, David Whitehouse, Parks Director answered. Judge Moore added comments. Commissioner Brewer asked a question, Col. Les Hill answered. Commissioner Hand asked a question, Matthew Webster answered. Commissioner Flaig asked a question, David Whitehouse answered. Judge Moore asked if there was any other Old Business to come before the Court, there was none.

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, August 22nd, 2023
5:30 P.M.

ITEM X.

NEW BUSINESS

- A. Judge Moore asked if there was any New Business to come before the Court, Lisa Anglin, from the audience approached the podium to request a marker at Central Park to recognize Alvin Garrison, who owned the property before his passing, which he donated to the county. Commissioner Flaig added comments. Commissioner Hand asked a question, Judge Moore and Matthew Webster answered.
Commissioner Flaig asked to have a quarterly caucus meeting. Commissioner Brewer agreed. Commissioner Hand asked a question, Judge Moore answered.
Judge Moore asked if there was any other New Business to come before the Court, there was none.

ITEM XI.

ADJOURNMENT

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

NEXT FISCAL COURT MEETING – Tuesday, September 5th, 2023 @ 5:30 P.M.

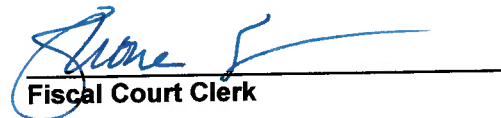
Announcements:

Judge Moore announced Matt Dowling, Deputy County Administrator starts on Friday, 9/1.

Judge Moore announced that tickets for the Senior Picnic on Wednesday, September 13 are sold out.

CLERK CERTIFICATION

I, Shona Schulkers, 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 22nd, 2023.



Fiscal Court Clerk

Date: _____

9/5/23