

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, December 20th, 2022
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 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
Robert Notton, County Treasurer/Finance Director
Lori Zombek, Director of Human Resources
Gary Peace, Operations Major, Sheriff's Department
Shona Schulkers, Fiscal Court Clerk

ITEM II.

APPROVAL OF MINUTES

- A. Judge Moore presented the Minutes from the Fiscal Court Meeting of December 6th, 2022 for approval. Commissioner Flaig moved, seconded by Commissioner Brewer to approve the Minutes from the December 6th, 2022, meeting. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

ITEM III.

PRESENTATIONS

- A. Special Presentation by Judge Gary W. Moore with the reading of Proclamations for Commissioner Charlie Kenner and Bob Neace. Proclamations and gifts were presented.
- B. Justin Crigler, County Clerk – FY 2023 Budget Request. (Item VII. B). Justin Crigler gave an overview of the department and presented the budget. The budget reflects a 6% salary increase to remain competitive. Commissioner Kenner asked what kind of business are recruiting our employees, he answered it is almost always private industry.

Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE COUNTY CLERK'S BUDGET, GENERAL TERM ORDER AND ANNUAL ORDER FOR SETTING THE MAXIMUM AMOUNT FOR DEPUTIES AND ASSISTANTS OF THE COUNTY CLERK'S DEPARTMENT FOR THE CALENDAR YEAR 2023. 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 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 W. MOORE, COUNTY JUDGE/EXECUTIVE, OF AUSTIN MAHONEY TO THE POSITION OF PARK LABORER/TRUCK DRIVER FOR THE PARKS DEPARTMENT. Lori Zombek presented

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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).

- B. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING ADJUSTMENTS TO JOB DESCRIPTIONS FOR THE POSITIONS OF HOUSING INSPECTOR IN THE ASSISTED HOUSING DEPARTMENT, GOLF COURSE GROUNDS SUPERINTENDENT AND ASSISTANT SUPERINTENDENT. Lori Zombek commented these positions were missed during the last update. 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, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF JOSHUA MASON TO THE TELECOMMUNICATION POSITION (DISPATCHER) FOR THE PUBLIC SAFETY COMMUNICATION CENTER. Lori Zombek 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).
- D. 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 DEVON HOPPERTON TO THE POSITION OF SOLID WASTE SERVICES TRUCK DRIVER/OPERATOR FOR THE PUBLIC WORKS DEPARTMENT. Lori Zombek commented this position is open due to a retirement. 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).
- E. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE PROMOTION, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF STEPHEN MCDANIEL TO THE POSITION OF ANIMAL CONTROL OFFICER II FOR THE BOONE COUNTY ANIMAL CARE AND CONTROL DEPARTMENT. Lori Zombek 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).

ITEM V.

ORDINANCES

- A. Judge Moore asked the Fiscal Court Clerk to read into record, a Second Reading of AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT, KENTUCKY ADOPTING AND APPROVING AMENDMENTS TO ZONING REGULATIONS, BOTH TEXT AND ZONING MAP FOR BOONE COUNTY, KENTUCKY, THESE ZONING REGULATIONS, BOTH TEXT AND ZONING MAP, HAVING BEEN PREPARED AND NOW RECOMMENDED BY THE BOONE COUNTY PLANNING COMMISSION FOR ADOPTION PURSUANT TO THE PROVISIONS OF CHAPTER 100 OF THE KENTUCKY REVISED STATUTES TO UPDATE THOSE ZONING REGULATIONS FOR TIMELY AND APPROPRIATE IMPLEMENTATION OF THE 2019 BOONE COUNTY COMPREHENSIVE PLAN THAT IS ENTITLED "OUR BOONE COUNTY PLAN 2040". Jeff Earlywine presented a few minor amendments regarding the language for political signs and crypto currency data centers (a copy of the exact language of the amendments was attached to the ordinance). Kevin Costello, Executive Director commented they will begin the next comprehensive plan in 2023. Commissioner Flaig moved, seconded by

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Commissioner Kenner, to adopt the ordinance with the amendments presented by the staff. 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 record, a Second Reading of AN ORDINANCE OF THE COUNTY OF BOONE, KENTUCKY AMENDING ORDINANCE 2017.13 RELATING TO THE TRANSIENT ROOM TAX TO INCLUDE ALL ACCOMMODATIONS CONTAINED IN HOUSE BILL 8 OF THE 2022 REGULAR LEGISLATIVE SESSION AND REPEALING INCONSISTENT ORDINANCES. Commissioner Kenner moved, seconded by Commissioner Brewer, to adopt 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 record, a First Reading of AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT AMENDING ITS CODE OF ORDINANCES AND SPECIFICALLY ORDINANCE 430.8 OF CHAPTER 40 RELATING TO THE MOTOR VEHICLE LICENSE FEE TO INCLUDE ALL MOTOR VEHICLE RENTING COMPANIES CONTAINS IN HOUSE BILL 8 OF THE 2022 REGULAR LEGISLATIVE SESSION AND REPEALING INCONSISTENT ORDINANCES. Jeff Earlywine commented this is the final ordinance related to House Bill 8. This doesn't change anything about our tax rate. This tax revenue is earmarked through NKY Tri-ED (the economic development company for Boone, Kenton, and Campbell counties). Lee Crume, President of Tri-ED gave a history of Tri-ED. Commissioner Flaig asked who collects the tax, Jeff Earlywine answered, the county collects the tax. Judge Moore added, the revenue is deposited into Fund 81 then transferred to Tri-ED.

Proposed second reading on January 10th, 2023

ITEM VI.

JUDGE'S REPORT

- 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 W. MOORE, COUNTY JUDGE/EXECUTIVE, OF GREG LARISON TO FILL THE UNEXPIRED TERM OF JACK WEISS TO THE NORTHERN KENTUCKY PORT AUTHORITY BOARD. 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)
- 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 SAL SANTORO AS THE REPRESENTATIVE OF THE COUNTY JUDGE/EXECUTIVE OFFICE TO FILL A VACANCY TO THE NORTHERN KENTUCKY CONVENTION AND VISITORS BUREAU COMMISSION. Commissioner Brewer moved, seconded by Commissioner Kenner, to table 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 RE-APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF JASON ROBERTS AND THE APPOINTMENT OF JONATHAN BAETEN TO FILL A VACANCY TO THE BOONE COUNTY URBAN FORESTRY COMMISSION. 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)
- D. 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

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W. MOORE, COUNTY JUDGE/EXECUTIVE, OF DR. ANTHONY WOLFE TO FILL A VACANCY TO THE NORTHERN KENTUCKY DISTRICT BOARD OF HEALTH PER KRS 212.786(1). 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 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 AUTHORIZING THE 2023 OFFICIAL FISCAL COURT MEETING SCHEDULE. Commissioner Brewer moved, seconded by Commissioner Flaig, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (-0)

- B. Read during FY23 County Clerk's Budget presentation.

- C. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING AND DIRECTING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE TO SUBMIT TO THE KENTUCKY DEPARTMENT FOR LOCAL GOVERNMENT AN APPLICATION FOR \$200,000 IN RECOVERY KENTUCKY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR THE RECOVERY KENTUCKY PROJECT IN BOONE COUNTY. Matthew Webster commented this is an annual action to submit funding. We are a pass through for the Recovery Project. 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).

- D. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT, AUTHORIZING THE ANNUAL ADJUSTMENT OF PAYMENT STANDARDS TO BE USED BY THE BOONE COUNTY ASSISTED HOUSING DEPARTMENT FOR THE CALENDAR YEAR 2023. Boubacar Diallo, Assisted Housing Director is seeking approval to set the new payment standards to 110% of fair market rent to continue to help families and bring on new families. 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, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO RELEASE EASEMENTS RESERVED BY THE COUNTY ON PROPERTIES LOCATED AT 3343 AND 3347 MINEOLA PIKE, ERLANGER, BOONE COUNTY, KENTUCKY. Jeff Earlywine reported the right-of-way was previously vacated. This is to release all county interest so they developer can move forward with their project. 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).

- F. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDING THE BID FOR A MINI EXCAVATOR AND HIGH LIFT RUBBER TIRE LOADER TO NEWMAN TRACTOR. Rob Franxman reported we will have delivery at the end of December. The funds were already budgeted for both. The mini excavator cost is \$102,280 and the tire loader is \$201,660. 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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- G. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT DECLARING AS SURPLUS PROPERTY COUNTY ISSUED CELL PHONES AND TABLETS. Jason Gamble, Information Systems Director reported this is the yearly cycle for mobile devices. PaceButler will recycle and provide fair market value. After being approved last year, we have received \$15,000. 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, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE EXTENSION OF A MEMORANDUM OF AGREEMENT (MOA) WITH KENTON AND CAMPBELL COUNTIES TO JOINTLY FUND THE NORTHERN KENTUCKY OFFICE OF DRUG CONTROL POLICY. Matthew Webster reported this new MOA will be in effect for three (3) years. 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).
- I. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE PURCHASE AND ACQUISITION OF CERTAIN EXISTING ASSETS AT BOONE'S LANDING MARINA. Matthew Webster reported this is a transition from a private operator to the County Parks Department. The offer to purchase assets owned by the Soper's was accepted at \$94,000, which is much less than purchasing the assets new. 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).
- J. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT SELECTING A PREFERRED CONSULTANT FOR THE MULTI USE PATH PROJECT DESIGN SERVICES AROUND THE NORTH SIDE OF THE AIRPORT BETWEEN CONNER ROAD AND MINEOLA PIKE KNOWN AS THE PRIME AE GROUP. Rob Franxman commented that fees will be negotiated once approved. 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).
- K. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDING THE BID FOR A 150 HP SLOPE MOWER/UTILITY WORK MACHINE TO ATMAX EQUIPMENT CO. Rob Franxman reported the cost of \$276,457.75 was already budgeted. This will be used for roadside brush and tree clearing. 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).
- L. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING SPECIFIC RURAL COUNTY ROADS FOR INCLUSION IN THE RURAL COUNTY ROAD IMPROVEMENT PROGRAM. Rob Franxman reported there were 70 roads that were considered, factors were weighted on the selection. Porter Road, Eads Road and Woolper Roads were chosen. The first project will go out to bid in the Spring. 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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ITEM VIII.

FISCAL MATTERS

- A. Commissioner Flaig moved, seconded by Commissioner Brewer to approve Invoice Report and Golf Invoice Report dated December 20th, 2022. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).
- B. Commissioner Kenner moved, seconded by Commissioner Flaig to approve Pre-Paid Invoice Reports dated December 15th and December 8th, 2022. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).
- C. Commissioner Brewer moved, seconded by Commissioner Kenner to approve Fiscal Court Order #13 – A Fiscal Court Order of the Boone County Fiscal Court authorizing transfers in the amount of \$736,750.03, within the adopted Fiscal Year 2022-2023 Budget. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

ITEM IX.

OLD BUSINESS

- A. Judge Moore asked if there was any Old Business to come before the Court, there were none.

ITEM X

NEW BUSINESS

- A. Judge Moore asked if there was any New Business to come before the Court, there were none.

ITEM XI.

ADJOURNMENT

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

NEXT FISCAL COURT MEETING – Tuesday, January 10th, 2023 @ 5:30 P.M.

FISCAL COURT NEW TERM INSTALLATION CEREMONY – Friday, December 30th, 2022 @ 4:00 P.M.

Announcements:

County offices will be closed for the Christmas holiday on Friday, December 23 and Monday, December 26 and for the New Year holiday on Monday, January 2.

The Boone County ENGAGE Program is accepting applications for the 2023 class. Applications can be completed on our website. The deadline is December 31st, 2022.

Christmas Treecycling is available from December 26th – January 7th. We will be accepting natural Christmas trees for drop-off at the Enrichment Center, Lakeside Christian Church, Stringtown Park, Union Park and Walton Park. Trees must be free of tinsel, ribbon, ornaments, lights, and bags. Trees will be mulched and properly disposed of.

Holiday Lights Recycling is available from December 1st - February 1st. Additional details and drop off locations are available at www.bigbluebin.com.

Congratulations to the Conner Cougars Men's Cross Country team for winning the state title 2 years in a row.

Jeff Earlywine announced the Emergency Cold Weather Shelter is in effect.

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A previous Commissioner, Harold Campbell has passed away.

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 December 20th, 2022.



Fiscal Court Clerk

Date: 11/11/23