

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, February 21st, 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 Jesse A. Brewer 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
Jordan Dallas Turner, County Attorney
William Knoebel, Assistant 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
Bill Mark, 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 February 7th, 2023, for approval. Commissioner Brewer moved, seconded by Commissioner Hand to approve the Minutes from the February 7th, 2023, meeting. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

ITEM III.

PRESENTATIONS

- A. Adam Chaney, SD1 Executive Director – Sanitary Sewer Rate presentation. (Corresponding Item VII. A). Adam Chaney presented via PowerPoint and reported on the background of the rates. The base rate increased, the variable rate decreased, and water consumption has declined. Monthly rates for families were reduced. Adam Chaney reviewed the future goals and played a video on CleanH2040 (rebranding) for further explanation. Commissioners Hand and Flaig asked questions, Adam Chaney and Judge Moore answered. Judge Moore offered additional comments and discussions followed. Commissioner Brewer added comments and asked a question, Adam Chaney answered.

Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING ADJUSTMENTS TO SANITATION DISTRICT NO. 1'S (SD1) SANITARY SEWER RATES TO LIMIT PROJECTED BUDGETED REVENUE TO NO MORE THAN 5% OVER THE PREVIOUS FISCAL YEAR FOR FISCAL YEARS 2024, 2025, 2026 AND 2027. Judge Moore added this was a unanimous approval by the SD1 Board.

Commissioner Hand asked for an amendment to language included in the resolution (*page 1, fifth Whereas*) eliminating Boone County, as Boone County did not approve in 2019. Adam Chaney offered no objections. Bob Cicero, citizen asked a question, Adam Chaney answered.

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Commissioner Brewer asked a question and offered comments, Adam Chaney answered. Commissioners Hand and Flaig asked questions, Adam Chaney answered.

Commissioner Hand moved, seconded by Commissioner Brewer, to amend the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). 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

- 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 PAMELA LYKINS, TO THE POSITION OF STAFF ACCOUNTANT FOR THE FINANCE DEPARTMENT. Lori Zombek presented the candidate and commented she has 20 years of accounting experience. 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).
- 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 NEW AND RETURNING SEASONAL ARBORETUM INTERNS FOR THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek stated we are reimbursed by the Boone County Extension Office for the seasonal positions. 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).
- 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 BILL LIPSCOMB TO A SNOW SEASONAL POSITION FOR THE PUBLIC WORKS DEPARTMENT. Lori Zombek presented the candidate and commented he worked for the county previously. Commissioner Hand asked a question, Lori Zombek and Rob Franxman answered. 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).
- E. 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 SEASONAL NEW HIRES AND RETURNING SEASONALS AT THE BOONE COUNTY GOLF COURSES. Lori Zombek commented the seasonals are maintenance crew. 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).

ITEM V.

ORDINANCES

- A. Judge Moore asked the Fiscal Court Clerk to read into the record, a Second Reading of AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, AMENDING THE FISCAL YEAR 2023 ALL FUNDS BUDGET ENACTED BY ORDINANCE NO. 2022-11 (ADOPTED ON JUNE 28, 2022) AND PREVIOUSLY AMENDED BY ORDINANCE NO. 2022-20 (ADOPTED ON AUGUST 23, 2022). Commissioner Hand moved,

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seconded by Commissioner Brewer, to adopt the ordinance. 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 Second Reading of AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT, KENTUCKY APPROVING, A REQUEST OF VIOX AND VIOX, INC. PER MICHELLE BOLLMAN (APPLICANT) FOR DOMASCHKO PROPERTIES, LLC (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN AND VARIANCE IN AN INDUSTRIAL ONE (I-1) DISTRICT FOR AN APPROXIMATE 6.7 ACRE AREA LOCATED AT 11061 DIXIE HIGHWAY, BOONE COUNTY, KENTUCKY. THE REQUESTS ARE: (1) A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN TO ALLOW THE CONSTRUCTION OF A 5,000 SQUARE FOOT BUILDING WITH OUTDOOR TRUCK/TRAILER PARKING AND AN EXPANSION OF THE OFF-STREET PARKING LOT AND (2) A VARIANCE TO REDUCE THE 50' FRONT YARD FENCE SETBACK TO ALLOW AN 8' TALL FENCE APPROXIMATELY 21' FROM THE DIXIE HIGHWAY RIGHT-OF-WAY LINE. Commissioner Flaig 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 the record, a Second Reading of AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, APPROVING AN AMENDMENT OF BOONE COUNTY CODE OF ORDINANCES CHAPTER 71 RELATING TO THE BOONE COUNTY TRAFFIC CODE HAVING BEEN PREVIOUSLY ADOPTED BY ORDINANCE 12-03 ON FEBRUARY 21, 2012, AND SECTIONS 71.01, 71.13, AND 71.15 HAVING BEEN PREVIOUSLY AMENDED BY ORDINANCE 13-15 ON AUGUST 6, 2013. Commissioner Flaig moved, seconded by Commissioner Brewer, to adopt 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, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF RICHARD ELWELL TO FILL THE UNEXPIRED TERM FOR THE TRI-COUNTY ECONOMIC DEVELOPMENT CORPORATION (TRI-ED) BOARD OF DIRECTORS. Judge Moore presented the appointment and commented the board position was filled by Candace McGraw, who will be resigning due to other obligations. Commissioner Hand asked a question, Judge Moore 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).
- B. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE RE-APPOINTMENTS, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF GREG BREETZ AND DAVID BROWN TO THE AVIATION NOISE ABATEMENT COMMITTEE. Judge Moore presented the re-appointments. 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).
- 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 LAURA TENFELDE TO THE VACANT

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POSITION FOR THE BOONE COUNTY URBAN FORESTRY COMMISSION. Judge Moore presented the appointment. 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).

ITEM VII.

ADMINISTRATIVE MATTERS

- A. Read during presentation.
- B. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING FISCAL YEAR 2023 MID-YEAR TAX FUND ALLOCATIONS FOR DESIGNATED SOCIAL SERVICE AGENCIES. Laura Pleiman, Director of Human Services reported on the history of tax fund allocations, board responsibilities, and commented there are 35 organizations with 65 programs that benefit from these funds. In addition, all requests must be received by January 31. Commissioner Hand asked a question, Laura Pleiman answered. Judge Moore offered additional comments. 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).
- C. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDDING THE BID FOR COURTROOM VIDEO EQUIPMENT UPGRADE TO JUSTICE AV SOLUTIONS (JAVS) FOR THE INFORMATION SYSTEMS DEPARTMENT. Jason Gamble, Director of Information Systems reported the current system was built in 2006, with upgrades in 2012. Some core equipment is still analog. The upgrade would include camera replacement. Commissioners Flaig and Hand asked questions, Jason Gamble and Judge Moore answered. Jeff Earlywine added this was not a budgeted item, but due to ongoing issues, a \$55,000 line-item transfer will be processed. 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 AWARDDING THE BID FOR WATER LINE EXPANSION, GROUP B TO HOWELL CONTRACTORS, INC. FOR THE RURAL WATER PHASE 2 PROGRAM. Matthew Webster reported this is the first construction bid award for Group B, Twin Lakes subdivision for an estimated cost of \$1,927,729, under the engineer estimate. The completion date is July 2023. Commissioner Hand asked a question, Matthew Webster 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 OF THE BOONE COUNTY FISCAL COURT APPROVING THE RENAMING OF CERTAIN FORMER REMNANT SECTIONS OF GRAVES ROAD AFFECTED BY THE COMPLETION OF THE NEW GRAVES ROAD/KY 495 INTERCHANGE PROJECT. Rob Franxman reported on the renaming of roads with all agencies including all emergency services. Dave Pattison, citizen at 1771 Graves Road asked questions, Rob Franxman and Judge Moore answered. Commissioner Flaig moved, seconded by Commissioner Brewer, to approve the resolution. After discussions, motion died, no vote.

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Rob Franxman will confirm additional address's that may need to be renamed. Commissioner Hand moved, seconded by Commissioner Hand, to table 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 RIGHT OF WAY SERVICES IN RELATION TO TEMPORARY EASEMENTS FOR THE DUBLIN DRIVE SIDEWALK PROJECT TO H.W. LOCHNER. Rob Franxman reported on the sidewalk project connecting Frogtown Road and Mt. Zion Road. There are 15 easements within a half mile, construction will begin after they are acquired. Commissioner Hand asked a question, Rob Franxman answered. Judge Moore offered additional comments. 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).
- G. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDING THE HRIS RFQ TO PAYLOCITY FOR PAYROLL AND HUMAN RESOURCE SERVICES. Lori Zombek reported there have been issues with the current payroll provider for over a year. The Sheriff's department uses the same company with a different system. The implementation fee will include history and the data that the county requires. The total estimated cost is \$159,250 including the Sheriff's department, the cost is based on the number of employees monthly. Commissioners Flaig and Hand asked questions, answered by Lori Zombek and Jason Gamble. Jeff Earlywine commented on additional benefits. 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 VIII.

FISCAL MATTERS

- A. Commissioner Flaig moved, seconded by Commissioner Brewer to approve Invoice and Golf Invoice Report dated February 21st, 2023. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).
- B. Commissioner Brewer moved, seconded by Commissioner Flaig to approve Pre-Paid Invoice Reports dated February 16th and February 9th, 2023. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).
- C. Commissioner Hand moved, seconded by Commissioner Brewer to approve Fiscal Court Order #17 – A Fiscal Court Order of the Boone County Fiscal Court authorizing transfers in the amount of \$399,106.48, within the adopted Fiscal Year 2022-2023 Budget. Commissioner Hand asked a question, Rob Notton and Lori Zombek answered. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).
- D. Commissioner Brewer moved, seconded by Commissioner Hand to approve Inter-Fund Transfer Report for January 2023. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).
- E. Presentation of FY 2023 – 2nd Quarter Budget Report – Jeffrey Earlywine, County Administrator reported the revenue and expense highlights, payroll tax and motor vehicle tax continue to perform strong. Expenses are up from this same time as last year with support to the Sherriff's office. The Golf Course is performing well also. Commissioner Flaig asked a question, Judge

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Moore answered. Judge Moore added we will soon begin meeting with agencies to determine the best programs that can benefit from the Opioid Settlement Funds. Commissioner Brewer moved, seconded by Commissioner Hand, to receive the report. 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, Larry Barnes, citizen who owns property at 2355 Graves Road asked a question about his property being divided by the new Graves Road and obtaining an address.

ITEM X.

NEW BUSINESS

- A. Judge Moore asked if there was any New Business to come before the Court, Judge Moore reported on the water quality after the East Palestine, Ohio train derailment. Our water comes from Cincinnati Waterworks and they had closed their intake valves while they did testing. The intake valves have been reopened and the water is safe.

Jeff Earlywine read his retirement letter. His retirement date is July 31, 2023.

ITEM XI.

ADJOURNMENT


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

NEXT FISCAL COURT MEETING – Tuesday, March 7th, 2023 @ 5:30 P.M.

Announcements:

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 February 21st, 2023.



Fiscal Court Clerk

Date: 3/10/23