

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**Tuesday, January 10<sup>th</sup>, 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. Judge Gary W. Moore presented the Invocation and the Pledge to the Flag. Judge Moore introduced Chet Hand, Commissioner District 2, Jordan Dallas Turner, County Attorney and Bill Knoebel, Assistant County Attorney.
- C. Jeffrey S. Earlywine affirmed the new Fiscal Court term of office. The new Fiscal Court has obtained election certificates, taken the required oath, bonds have been provided and the 2023 Fiscal Court calendar has been advertised. Mark Ihrig, Emergency Management Director, and Jeffrey S. Earlywine, County Administrator have been re-appointed via executive order and taken their oath. Commissioner Brewer moved, seconded by Commissioner Hand to accept affirmation, and declared the court to be properly seated and ready to conduct business. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

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  
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 20<sup>th</sup>, 2022 for approval. Commissioner Brewer moved, seconded by Commissioner Flaig to approve the Minutes from the December 20<sup>th</sup>, 2022, meeting. Judge Moore called for a vote on the motion, MOTION PASSES (3-0, 1 abstention by Commissioner Hand).

**ITEM III.**

**PRESENTATIONS**

- A. None.

**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 APPROVING ADJUSTMENTS TO THE JOB DESCRIPTION AND TITLE FOR CAYLA BRAKERS TO BOONE'S LANDING PARK LAND MANAGER OF THE PARKS DEPARTMENT. Lori Zombek stated since the previous owners have retired, we need a full-time staff person at the location. She will live in the home at the location and manage the 24/7 operations. Questions asked by Commissioners Flaig and Hand,

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Lori Zombek 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).

**ITEM V.**

**ORDINANCES**

- A. Judge Moore asked the Fiscal Court Clerk to read into record, a Second 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 CONTAINED IN HOUSE BILL 8 OF THE 2022 REGULAR LEGISLATIVE SESSION AND REPEALING INCONSISTENT ORDINANCES. Jeff Earlywine commented there have been no changes since the First Reading, and this will align with the tax reform bill. Lee Crume, President/CEO, NKY Tri-ED added additional comments. Judge Moore commented this is not an additional tax, only new technologies being added to the industry. Lee Crume said the rate was set in 1992 and has not changed since then. Judge Moore commented that Campbell County Fiscal Court has already approved the ordinance and Kenton County Fiscal Court is voting tonight. Questions asked by Commissioner Hand, Commissioner Flaig, and citizen Bob Cicero, answered by Judge Moore, Jeff Earlywine, Lee Crume and Bill Koebel, followed by discussions. 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).
- B. Judge Moore asked the Fiscal Court Clerk to read into record, a First Reading of AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT, KENTUCKY APPROVING, A REQUEST OF ECE, INC (APPLICANT) FOR TODD BAETEN (OWNER) FOR: (1) A ZONING MAP AMENDMENT FROM SUBURBAN RESIDENTIAL ONE (SR-1) TO COMMERCIAL SERVICES (C-3); (2) A VARIANCE REDUCING THE BUFFER YARD WIDTH FROM EIGHTY (80) FEET TO TEN (10) FEET ALONG THE EAST PROPERTY LINE; AND (3) A VARIANCE REDUCING THE BUFFER YARD WIDTH FROM EIGHTY (80) FEET TO ZERO (0) FEET ALONG THE WEST PROPERTY LINE FOR AN APPROXIMATE 4.1 ACRE AREA LOCATED AT 352 FROGTOWN ROAD, BOONE COUNTY, KENTUCKY, INCLUDING A PORTION OF THE RIGHT-OF-WAY OF FROGTOWN ROAD AND INTERSTATE 71/75. Alaina Hagenseker, Planner presented the request for a zone change and variances with no conditions to allow a nursery and greenhouse. The Planning Commission voted unanimously on the request. Questions asked by Judge Moore and Commissioner Hand, answered by Alaina Hagenseker and Todd Baeten.

*Proposed Second Reading on January 31*

**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 JESSE BREWER TO THE BOONE CONSERVANCY BOARD. Judge Moore commented the board is a non-profit partner to help preserve green space in the county. Their By-Laws have a position for a one Commissioner. Commissioner Flaig moved, seconded by Commissioner Hand, to approve the resolution. Judge Moore called for a vote on the motion, (3-0, 1 abstention by Commissioner Brewer).
- 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-APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF SUK-HEE KIM TO THE TAX

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ADVISORY BOARD, MENTAL HEALTH. Judge Moore commented Dr. Kim is a PHD and teaches at NKU, this will be her first re-appointment. Questions asked by Commissioner Hand, answered by Judge Moore. 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 RE-APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF SHANE NOEM, MARY PATRICIA FOX AND BRIDGET STRIKER TO THE BOONE COUNTY HISTORIC PRESERVATION REVIEW BOARD. Judge Moore made comments for each board member being re-appointed. Commissioner Hand 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).

**ITEM VII.**

**ADMINISTRATIVE MATTERS**

- A. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING ROB FRANXMAN AS COUNTY ROAD ENGINEER FOR A TERM OF FOUR 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).
- B. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE PURCHASE OF SIXTEEN (16) NEW CHEVROLET 2023 POLICE TAHOE SUV VEHICLES FOR THE BOONE COUNTY SHERIFF'S DEPARTMENT TO BACHMAN CHEVROLET FROM THE STATE MASTER AGREEMENT. Jeff Earlywine commented on the challenge to find inventory with no guarantees on delivery. The vehicles will each cost \$45,617 using reserved funds, to be delivered in the summer. The cost of the vehicles has significantly increased along with the additional equipment needed. Questions asked by Commissioner Hand, answered by Jeff Earlywine and Gary Peace. 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).
- C. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT AWARDING THE BID FOR THE LASSING POINTE BUNKER RENOVATION, PHASE 2 PROJECT TO GREEN TEE GOLF AT A BID PRICE OF \$472,747.50. Matthew Webster reported Phase 1 is complete with nine holes updated. Phase 2 renovation will complete the remaining nine holes and will begin in September. The expenses will be paid by the Golf Course operations fund. Questions asked by Commissioners Hand and Flaig, answered by Matthew Webster and Justin Pack, Director of Golf Course Grounds. 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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- D. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT DECLARING MISCELLANEOUS EQUIPMENT AS SURPLUS FROM THE PARKS DEPARTMENT. David Whitehouse, Director of Parks commented on surplus items in the Valley Orchard barn to be listed on GovDeals.com. 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 VIII.**

**FISCAL MATTERS**

- A. Questions asked by Commissioner Hand, answered by Jeff Earlywine. Commissioner Brewer moved, seconded by Commissioner Hand to approve Invoice Report and Golf Invoice Report dated January 10<sup>th</sup>, 2023. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).
- B. Commissioner Flaig moved, seconded by Commissioner Brewer to approve Pre-Paid Invoice Reports dated January 5<sup>th</sup>, 2023, December 29<sup>th</sup>, and December 21<sup>st</sup>, 2022. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).
- C. Commissioner Brewer moved, seconded by Commissioner Flaig to approve Fiscal Court Order #14 – A Fiscal Court Order of the Boone County Fiscal Court authorizing transfers in the amount of \$1,629,000.00, within the adopted Fiscal Year 2022-2023 Budget. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).
- D. Commissioner Brewer moved, seconded by Commissioner Flaig to approve Inter-Fund Transfer Reports for September, October, November, and December 2022. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).
- E. Question asked by Commissioner Brewer, answered by Jeff Earlywine. Commissioner Brewer moved, seconded by Commissioner Hand to accept the Monthly Financial Reports for a three-month period ending September 30, 2022, a four-month period ending October 31, 2022, and a five-month period ending November 30, 2022. 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 was none.

**ITEM X**

**NEW BUSINESS**

- A. Judge Moore asked if there was any New Business to come before the Court, Bob Cicero, citizen made a comment.

**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).

**SPECIAL CAUCUS MEETING – Saturday, January 21<sup>st</sup>, 2023 @ 8:30 A.M.** A planning session with new Fiscal Court to discuss goals and create a strategic plan.

**NEXT FISCAL COURT MEETING – Tuesday, January 31<sup>st</sup>, 2023 @ 8:30 A.M.**


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**Announcements:**

Holiday Lights Recycling is available from December 1<sup>st</sup> - February 1<sup>st</sup>. Additional details and drop off locations are available at [www.bigbluebin.com](http://www.bigbluebin.com).

**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 January 10<sup>th</sup>, 2023.

  
\_\_\_\_\_  
Fiscal Court Clerk

Date: 1/31/23