

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
January 11, 2022
8:30 A.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
Charles E. Kenner, Commissioner, District 2
Jesse A. Brewer, Commissioner, District 3
Robert D. Neace, County Attorney

Member of the Court Absent:

Cathy H. Flaig, Commissioner, District 1

Members of the Staff Present:

Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive
Mathew H. Webster, Assistant County Administrator
Robert Franxman, County Engineer
Kimberley A. Krugel, Interim County Treasurer/Finance Director
Les Hill, Chief Deputy
Lori Zombek, Human Resource Director
Shona Schulkers, Fiscal Court Clerk

ITEM II.

NOTICE OF PUBLIC HEARING

- A. Notice is given that the Boone County Fiscal Court will conduct a Public Hearing on Tuesday, January 11 at 8:30am, Boone County Administration Building, Fiscal Court Room, First Floor, Burlington, Kentucky. The Public Hearing will be to discuss Vacation of Right-of-Way for the alley at 6496 Taylorsport Drive in Hebron, unincorporated Boone County. No additional items are scheduled for consideration. The public is invited to attend this Hearing and enter comments on the record. Any person requiring a special accommodation to participate at this meeting is encouraged to contact the Boone County Fiscal Court offices in advance of the meeting (859-334-3571).

Rob Franxman presented maps of the location of right-of-way in Hebron. He said the alley has no value to the county, and no plans for future use. The viewing committee approved the application with conditions.

Bradley Arnold, a neighbor in attendance came forward and asked how this will affect the alley on his property. Rob commented that the alley right-of-way will not continue onto his property. Judge Moore suggested we appoint a viewing committee for the alley on his property if would be interested.

Jeff Earlywine reported that he spoke with Commissioner Flaig and she is supportive of the recommendation to vacate.

Judge Moore stated the Public Hearing is now closed.

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
January 11, 2022
8:30 A.M.

Judge Moore asked the Fiscal Court Clerk to read into the record Item VIII. B, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE REQUEST TO VACATE RIGHT-OF-WAY AT AN ALLEY IN TAYLORSPOUR/HEBRON, UNINCORPORATED BOONE COUNTY, KENTUCKY AS RECOMMENDED BY THE VIEWING COMMITTEE. Commissioner Brewer 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. Notice is given that the Boone County Fiscal Court will conduct a Public Hearing on Tuesday, January 11 at 8:30am, Boone County Administration Building, Fiscal Court Room, First Floor, Burlington, Kentucky. The Public Hearing will be to discuss Vacation of Right-of-Way for county road at 15190 South Fork Road in Verona, unincorporated Boone County. No additional items are scheduled for consideration. The public is invited to attend this Hearing and enter comments on the record. Any person requiring a special accommodation to participate at this meeting is encouraged to contact the Boone County Fiscal Court offices in advance of the meeting (859-334-3571).

Rob Franxman presented maps of the location of right-of-way in Verona. He said the road was realigned by the state in 2019 and the applicant is requesting the old road which is his driveway. The viewing committee approved the application with conditions.

Judge Moore stated the Public Hearing is now closed.

Judge Moore asked the Fiscal Court Clerk to read into the record Item VIII. C, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE REQUEST TO VACATE A SECTION OF COUNTY ROAD RIGHT-OF-WAY AT SOUTH FORK ROAD IN VERONA, UNINCORPORATED BOONE COUNTY, KENTUCKY AS RECOMMENDED BY THE VIEWING COMMITTEE. Commissioner Brewer 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 III.

APPROVAL OF MINUTES

Judge Moore presented the Minutes from the Fiscal Court Meeting of December 21st, 2021 for approval. Commissioner Kenner moved, seconded by Commissioner Brewer, to approve the Minutes from the meeting December 21st, 2021. Judge Moore called for a vote on the motion, MOTION PASSES (3-0).

ITEM IV.

PRESENTATIONS

- A. Christy Burch, CEO of the ION Center – presentation on rebranding and services that are offered to the community. ION Center is the former Women’s Crisis Center which is a non-profit organization, and all services are free. There are two locations in Newport and Maysville, Kentucky.

ITEM V.

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 ROBERT NOTTON AS COUNTY TREASURER/DIRECTOR OF FINANCE FOR THE COUNTY. Jeff Earlywine reported the committee tasked with recruitment of this position last October reviewed 50 applications.

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
January 11, 2022
8:30 A.M.

Robert Notton, the recommended candidate was unanimously supported by the administration and was in the audience and introduced. Judge Moore thanked Kim Krugel for her interim work and completing the 2019 audit. Robert's first day will be February 14, 2022. Commissioner Kenner moved, seconded by Commissioner Brewer, 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, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF LARRY BOWLING TO THE POSITION OF EQUIPMENT/SHOP MANAGER FOR THE BOONE COUNTY GOLF COURSES. Lori Zombek commented he is currently a mechanic with equipment experience. Commissioner Brewer 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, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF BILL LIPSCOMB TO THE POSITION OF SEASONAL SNOW LABORER FOR THE PUBLIC WORKS DEPARTMENT. Lori Zombek commented he worked for the county as a mechanic in our fleet services and retired a year ago. Commissioner Kenner moved, seconded by Commissioner Brewer, 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 record a First Reading of AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT, KENTUCKY, APPROVING WITH CONDITIONS, A REQUEST OF CORPOREX, PER NICOLE CHIMENTO (APPLICANT) FOR CORPOREX PARKS KY ACRES FOR DEVELOPMENT, PER NICOLE CHIMENTO (OWNER) FOR A CHANGE IN CONCEPT DEVELOPMENT PLAN IN A INDUSTRIAL ONE/PLANNED DEVELOPMENT (I-1/PD) ZONE FOR AREA A: AN APPROXIMATE 4.8 ACRE AREA LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF MINEOLA PIKE WITH INTERSTATE 275, AND BEING IMMEDIATELY NORTH OF THE PROPERTY LOCATED AT 3990 OLYMPIC BOULEVARD AND AREA B: AN APPROXIMATE 0.9 ACRE AREA LOCATED ALONG THE NORTH SIDE OF OLYMPIC BOULEVARD, BETWEEN MINEOLA PIKE AND CIRCLEPORT DRIVE, APPROXIMATELY 750 FEET NORTHWEST OF MINEOLA PIKE AND BEING IMMEDIATELY SOUTHEAST OF THE PROPERTY LOCATED AT 3900 OLYMPIC BOULEVARD, BOONE COUNTY, KENTUCKY.

Mike Schwartz reported on the recommendation by Planning and Zoning with conditions. There was no opposition at the Planning and Zoning public hearing. The second reading will be on January 25, 2022.

Nicole Chimento was in audience, she commented on the project and their future plans. They would like to add amenities that are not currently in this area, such as restaurants.

- B. Judge Moore asked the Fiscal Court Clerk to read into the record a First Reading of AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT REPEALING IN ITS ENTIRETY ORDINANCE NUMBER 430.2 (CODIFIED IN CHAPTER 114 OF THE COUNTY CODE OF ORDINANCES) ADOPTED ON JUNE 3, 1980.

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
January 11, 2022
8:30 A.M.

Jeff Earlywine reported this Ordinance was established to develop standards and regulations for security in private industry that no longer serves the public. The language in the Ordinance is outdated. The decision to repeal the Ordinance is unanimously supported by the Sheriff's department, County Attorney and Judge Executive Office. The second reading will be on January 25, 2022.

ITEM VII.

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 ANDY WALLENHORST TO FILL THE UNEXPIRED TERM OF THE FIREFIGHTER POSITION ON THE PETERSBURG FIRE PROTECTION DISTRICT BOARD OF TRUSTEES. Judge Moore commented this position is available due to a vacancy. Commissioner Brewer 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.

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 EXECUTION OF A PAYMENT IN LIEU OF TAXES AGREEMENT RELATING TO THE UNION PROMENADE PROJECT BEING DEVELOPED BY 9541 US 42 LLC. Jeff Earlywine reported this is a City of Union project and the county was asked to participate. The county would pledge 60% of the future tax revenue. Bonds will be issued by the city to assist with the cost of infrastructure work. Commissioner Kenner moved, seconded by Commissioner Brewer, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0).
- B. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE REQUEST TO VACATE RIGHT-OF-WAY AT AN ALLEY IN TAYLORSPOUR/HEBRON, UNINCORPORATED BOONE COUNTY, KENTUCKY AS RECOMMENDED BY THE VIEWING COMMITTEE. Resolution read during Public Hearing, page 1, Item II. A.
- C. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE REQUEST TO VACATE A SECTION OF COUNTY ROAD RIGHT-OF-WAY AT SOUTH FORK ROAD IN VERONA, UNINCORPORATED BOONE COUNTY, KENTUCKY AS RECOMMENDED BY THE VIEWING COMMITTEE. Resolution read during Public Hearing, page 1, Item II. B.
- D. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDED THE BID FOR CONSTRUCTION FOR THE KY 237 MULTI-USE PATH PROJECT TO RIEGLER BLACKTOP. Judge Moore explained the location of the multi-use path, and other paths that will soon be connected. Rob Franxman reported this project is being funded by an OKI federal grant from 2016. Completion of this project will be November 2022. Commissioner Brewer moved, seconded by Commissioner Kenner, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0).

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
January 11, 2022
8:30 A.M.

ITEM VIII.

FISCAL MATTERS

- A. Commissioner Kenner moved, seconded by Commissioner Brewer, to approve the Invoice Report dated January 11th, 2022, and pre-paid invoice reports dated January 6th, 2022, December 23rd, 2021 and December 30th, 2021. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0).
- B. Commissioner Brewer moved, seconded by Commissioner Kenner to approve Golf Invoice Report dated January 11th, 2022, and pre-paid invoice reports dated January 6th, 2022, December 23rd, 2021 and December 30th, 2021. 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 come before the Court.

- A. STAFF REPORT – Update and status on county-wide Highspeed Broadband Project.

Jeff Earlywine reported the court approved an agreement in March 2020 with Cincinnati Bell for a \$13.6 million project to get 1g of service to every address in the county. The county applied for a grant to reduce the cost commitment. The project should be completed March 2023. Cincinnati Bell will bill us quarterly and we will continue giving updates on the project.

Matthew Webster commented the project was originally going to take 5 years, and has been reduced to only 2 years.

Judge Moore commented that you do not have to use Cincinnati Bell as your internet provider. Funding is from federal dollars, there will be no tax increases. He commented taxes were lowered last year. He said we will give updates on the Rural Water Project as well.

Bob Cicero from the audience asked a question about the highspeed fiber to his house on Woodcreek Dr and the delay due to crossing the bridge. He asked if permits were required.

- B. Bob Cicero from the audience asked for an update on the completion of Pleasant Valley Road. Rob Franxman commented this is a state project and the final completion should be June 2022.

Commissioner Brewer asked about having updates on all the road projects at future meetings. Jeff Earlywine commented the next quarterly transportation meeting would be on February 3 and the Staff will report after that date.

- C. Bob Cicero from the audience asked if there was any discovery of any improprieties during the audit. Kim Krugel commented there were no improprieties.

ITEM X.

NEW BUSINESS

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

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
January 11, 2022
8:30 A.M.

ITEM XI.

ADJOURNMENT

Judge Moore called for adjournment of the Fiscal Court Meeting. Commissioner Brewer moved, seconded by Commissioner Kenner, to adjourn the meeting, ALL PRESENT VOTING AYE (3-0).

NEXT FISCAL COURT MEETING – Tuesday, January 25th, 2022 at 5:30pm

ANNOUNCEMENTS

- A. HOLIDAY LIGHTS RECYCLING – will continue through February 1st.

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 January 11th, 2022.

Date: _____

1/26/22



Fiscal Court Clerk