

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
October 26, 2021
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 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
Mathew H. Webster, Assistant County Administrator
Robert Franxman, County Engineer
Kimberley A. Krugel, Interim County Treasurer/Finance Director
Lori Zombek, Human Resources Director
Gary Peace, Sheriff's Department
Shona Schulkers, Fiscal Court Clerk

ITEM II.

APPROVAL OF MINUTES

Judge Moore presented the Minutes from the Fiscal Court Meeting of October 12th, 2021 for approval. Commissioner Flaig moved, seconded by Commissioner Brewer, to approve the Minutes from the meeting October 12, 2021. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

ITEM III.

PRESENTATIONS

Judge Moore introduced our new Interim County Treasurer/Finance Director, Kimberley Krugel who was in attendance.

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 RESTRUCTURING OF ANIMAL CONTROL OFFICER POSITIONS, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF THE ANIMAL CARE AND CONTROL DEPARTMENT. Lori commented that this will allow some opportunity for movement in the department. Commissioner Brewer moved, seconded by Commissioner Flaig, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 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 SHAE BORENSTEIN TO THE POSITION OF SERGEANT FOR THE ANIMAL CARE AND CONTROL DEPARTMENT. Lori commented that Shae has been with the department over 2 ½ years. Commissioner Kenner moved, seconded by Commissioner Brewer, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

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- C. 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 MICHAEL COBB AND ARTHUR GUMBLE TO THE POSITION OF PRO SHOP - CLERKS FOR THE BOONE COUNTY GOLF COURSES. Judge commented that this department is more active now than in the past. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 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 PROMOTION, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF JESSE TOMLIN TO THE POSITION OF SHIFT SUPERVISOR FOR THE PSCC DEPARTMENT. Lori commented that Jesse has been with the department for over 5 years, he is acting shift Supervisor, and a trainer. All Supervisor positions are now filled. Commissioner Brewer moved, seconded by Commissioner Flaig, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.
- E. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, THE REHIRE AND RATE CHANGE OF SEASONAL EMPLOYEES, MEGAN DWYER AND CHRISTY HADLEY FOR PROGRAM LEADERS FOR THE PARKS DEPARTMENT. Commissioner Brewer moved, seconded by Commissioner Flaig, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

ITEM V.

ORDINANCES

- A. Judge Moore asked the Fiscal Court Clerk to read into the First 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.

Matthew commented this will allow enhanced enforcement including towing if needed. The second reading will be at the November 9th Fiscal Court Meeting.

- B. Judge Moore asked the Fiscal Court Clerk to read into the First Reading of AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, APPROVING WITH CONDITIONS, A REQUEST OF TIM GREIVE (APPLICANT) FOR BOB SUMEREL TIRE CO (OWNER) FOR A CHANGE IN APPROVED CONCEPT DEVELOPMENT PLAN IN AN INDUSTRIAL ONE/PLANNED DEVELOPMENT/HOUSTON-DONALDSON STUDY CORRIDOR OVERLAY (I-1/PD/HDO) ZONE FOR A 2.835 ACRE SITE LOCATED ON THE NORTH SIDE OF DONALDSON HIGHWAY, APPROXIMATELY 240 FEET WEST OF TURFWAY ROAD AND IMMEDIATELY WEST OF THE PROPERTY AT 1212 DONALDSON HIGHWAY, BOONE COUNTY, KENTUCKY. THE REQUEST IS FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN TO PERMIT A TRUCK TIRE STORAGE LOT.

Michael Schwartz, Zoning Administrator presented the Concept Development Plan for a 16,500 square foot tire storage facility behind existing Bob SumereI headquarters, to include landscaping, 10' shared path, and widening of roadway. The Planning Commission recommending approval of the revised Concept Development Plan on 6 conditions.

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Mr. Sumerel commented the business has been in this location since 1978, the company is growing and in 5 states, with expanding the property, everything will be camouflaged.

Jeff Earlywine asked Michael Schwartz how the Planning Commission addressed the staff concerns regarding the project and Houston-Donaldson Road development guidelines. Michael mentioned the staff report did not have plans for landscaping. The plan came after the staff report was drafted and distributed. The proposal includes significant landscaping along Donaldson Road, including large trees, upgraded privacy fence and large billboard will be removed.

Judge Moore asked what kind of tires will be stored in the area. Mr. Sumerel commented they are new, very large tires, that will be moved with cranes.

The second reading will be at the November 9th Fiscal Court Meeting.

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 BILL VIOX TO AN UNEXPIRED TERM ON THE BOONE/FLORENCE WATER COMMISSION. Judge Moore commented this is a five person board. The city of Florence appoints one, Boone County water appoints one and the county appoints the other three. We do not currently have an Engineer on the board. With Bill Viox's experience with Boone County and Engineering, he agreed to serve. Mr. Cicero from the audience asked if this was controlled by the Public Service Commission. Judge Moore answered and said that it was not. Commissioner Flaig moved, seconded by Commissioner Brewer, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 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 REAPPOINTMENTS, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF TAMI WILSON AND DR. CHRISTIAN GAMM TO THE TAX ADVISORY BOARD FOR INTELLECTUAL DISABILITY. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 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 AND DIRECTING THE STAFF TO PROCEED WITH THE RURAL WATER EXPANSION PROGRAM IN PARTNERSHIP WITH LOCAL WATER DISTRICTS AND WATER AUTHORITIES SERVING BOONE COUNTY RESIDENTS. Jeff Earlywine reported that he and Matthew Webster have spent a lot of time since Spring advancing this project. There have been a lot of resident engagement with 411 letters sent out and 175 people at the public meeting. There were specific criteria with a 50% threshold for participation on 23 streets (11 miles). If all households participated, there would be 275 new water customers. This is a \$12 million project, which is pre-funded through the ARP Program and there will be no debt. There will be a \$25 surcharge for each household for

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20 years, and they should see a rate reduction in their home insurance. Construction will begin in 2022. Mr. Cicero from the audience asked to clarify the cost for the homeowner and length of time of the surcharge. Jeff commented this will not exceed a 20 year period. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

- B. 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 A 2010 FORD CROWN VICTORIA, TO BE TRANSFERRED TO THE CITY OF WARSAW, KENTUCKY WITHOUT COMPENSATION FROM THE SHERIFF'S DEPARTMENT. Jeff commented we don't need this vehicle, as we no longer use Crown Victoria's. Commissioner Kenner moved, seconded by Commissioner Brewer, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.
- C. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING AN AGREEMENT WITH THE KENTUCKY TRANSPORTATION CABINET, DEPARTMENT OF HIGHWAYS FOR SNOW REMOVAL TREATMENT SERVICES PROVIDED BY COUNTY WORK CREWS ALONG CERTAIN STATE-OWNED AND MAINTAINED HIGHWAYS. Rob Franxman reported that the Kentucky Transportation Cabinet is experiencing staffing issues and contractor shortages. The county has agreed to treat 53 centerline miles of KYTC roads in addition to the nearly 450 miles of county roads to take care of our residents. KYTC will provide the county with 3 snow trucks, and has agreed to pay a base fee \$57,000, \$75 compensation per truck driver hour and \$84.50 per ton of salt. Judge recapped the state cannot treat the roads and we have to take care of our customers. This is a one year contract. Commissioner Brewer wanted to know if the \$75 compensation is enough to cover our costs, and Jeff replied that yes, there was a cost analysis performed. Mr. Cicero from the audience wanted to confirm our cost of salt and if it was a fixed cost, Rob replied that it was a fixed cost. Commissioner Brewer moved, seconded by Commissioner Kenner, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.
- D. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING A ONE YEAR CONTRACT EXTENSION WITH BLUEGRASS ELECTRICAL CONSULTANTS FOR MAINTENANCE AND EMERGENCY REPAIR OF COUNTY-OWNED TRAFFIC SIGNALS, SCHOOL ZONE FLASHERS AND TRAFFIC LIGHT POLES. Rob reported this is a one year contract, however, it could extend to (2) one year contracts. They would perform preventative maintenance and bi-annual inspections. Commissioner Flaig moved, seconded by Commissioner Brewer, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.
- E. Judge Moore asked the Fiscal Court Clerk to read into the record, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING A PROFESSIONAL SERVICES CONTRACT WITH PATRICK AND ASSOCIATES, LLC TO PROVIDE SUPPLEMENTAL PROFESSIONAL AUDIT SERVICES TO COMPLETE THE COUNTY'S FY 19 AND FY 20 AUDIT REPORTS. Jeff reported Patrick and Associates will partner with our staff and current CPA. They will not be able to give us regular support until after the first of the year. Rate is \$125 per hour per Principal. This item is not in our budget and will require a line item transfer. They will bill us monthly, we will closely monitor. We have already notified the state auditor. Some work has been done on FY 2019, possibly to be finished by the end of the year, then to start on FY 2020 the first of the year. Mr. Cicero from the audience asked how the audit is completed. Jeff explained. We normally spend \$30,000-\$40,000 on a normal year.

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

ITEM VIII.

FISCAL MATTERS

- A. Commissioner Flaig moved, seconded by Commissioner Brewer, to approve Invoice Report dated October 26th, 2021, and pre-paid invoice reports dated October 14th, 2021 and October 21st, 2021. 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 Golf Invoice Report dated October 26th, 2021, and pre-paid invoice reports dated October 14th, 2021 and October 21st, 2021. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

ITEM IX.

OLD BUSINESS

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

ITEM X.

NEW BUSINESS

Judge Moore asked if there was any New Business to come before the Court, Mr. Cicero from the audience asked when the agenda is published to the website.

ITEM XI.

ADJOURNMENT

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

NEXT FISCAL COURT MEETING – Tuesday, November 9th, 2021 at 5:30pm

ANNOUNCEMENTS

The Jack-O-Lantern Contest & Walk will be held on Saturday, October 30, 2021 at the Boone County Fairgrounds from 7:30pm-9pm. Commissioner Flaig commented this is a free event. David Whitehouse in audience commented we have 600 Jack-O-Lanterns so far.

Trick-or-Treat times for Halloween, October 31, 2021 from 6pm-8pm.

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 October 12th, 2021.

Date: 11/16/21


Fiscal Court Clerk