

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**January 5, 2010**  
**5:30 P.M.**

**ITEM I.**

**CALL TO ORDER**

Judge Gary W. Moore called to order the meeting of the Boone County Fiscal Court.

Present: Gary W. Moore, County Judge/Executive  
Cathy Flaig, Commissioner, District 1  
Charles E. Kenner, Commissioner, District 2  
Terri Moore, Commissioner, District 3  
Robert Neace, County Attorney

Staff: Lisa Buerkley, County Treasurer  
Les Hill, Sheriff's Department  
Greg Sketch, County Engineer  
Robin Curry, Assistant County Administrator  
Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive  
Jeff Smith, Assistant County Attorney  
Daphne Kornblum, Fiscal Court Clerk

**ITEM II.**

**APPROVAL OF MINUTES**

Commissioner Flaig moved, seconded by Commissioner Moore, to approve the Minutes from the meeting of December 22, 2009. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

**ITEM III.**

**PRESENTATIONS**

Rena Ping made a few brief comments regarding the County Clerk's Budget for calendar year 2009/2010.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-02, 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 2010. Commissioner Kenner moved, seconded by Commissioner Moore, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

**ITEM IV.**

**PERSONNEL MATTERS**

None at this time.

**ITEM V.**

**ORDINANCES**

None at this time.

**ITEM VI.**

**JUDGE'S REPORT**

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-01, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE-EXECUTIVE, RE-APPOINTING MEMBERS TO THE BOONE COUNTY CITIZEN CORPS COUNCIL. Commissioner Moore moved, seconded by Commissioner Flaig, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

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**ITEM VII.**

**ADMINISTRATIVE MATTERS**

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-03, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING AN OPTION TO LEASE COUNTY OWNED PROPERTY TO ARCADIA TOWERS, LLC FOR ERECTION OF A CELL TOWER. Commissioner Flaig moved, seconded by Commissioner Moore, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-04, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDED THE BID FOR THE 60 ACRE AGRICULTURAL LEASE OF VALLEY ORCHARDS TO RICHARD CRISLER AND TERRY ANDERSON. 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.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-05, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDED THE BID FOR THE 15' BATWING AERATOR FOR THE PARKS DEPARTMENT TO MIDWEST GOLF & TURF, INC. Commissioner Kenner moved, seconded by Commissioner Moore, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-06, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT OF A VIEWING COMMITTEE REGARDING THE REQUEST TO VACATE THE RIGHT- OF-WAY ON A PORTION OF SECOND STREET BETWEEN PIKE STREET AND MAIN STREET IN THE TOWN OF BELLEVIEW. Commissioner Flaig moved, seconded by Commissioner Moore, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-07, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT OF A VIEWING COMMITTEE REGARDING THE REQUEST TO VACATE THE RIGHT- OF-WAY ON A PORTION OF BURLINGTON – BIG BONE ROAD FROM CAMP ERNST LANE TO CASTLEWOOD LANE. 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.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-08, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING JUDGE/EXECUTIVE GARY W. MOORE TO EXECUTE AN AGREEMENT BETWEEN THE COUNTY AND THE KENTON COUNTY AIRPORT BOARD FOR THE PURPOSE OF CONVEYING PUBLIC RIGHT-OF-WAY NECESSARY TO CONSTRUCT THE SOUTH AIRFIELD ROAD PROJECT. 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.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-09, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDED THE BID FOR CONNER SAFE ROUTES TO SCHOOL SIDEWALK PROJECT TO STRAIGHT EDGE CONSTRUCTION, LLC. Commissioner Moore moved, seconded by Commissioner Flaig, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

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Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-10, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDING THE BID FOR HEBRON TRANSPORTATION ENHANCEMENT SIDEWALK PROJECT TO RA MILLER CONSTRUCTION COMPANY. Commissioner Moore moved, seconded by Commissioner Flaig, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

**ITEM VIII.**

**FISCAL MATTERS**

Commissioner Kenner moved, seconded by Commissioner Moore, to approve Invoice Report (1-5-10) and pre-paid invoice report dated (12-30-09). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Flaig moved, seconded by Commissioner Kenner to approve Golf Course Invoice Report (1-5-10) and pre-paid Golf Course invoice report dated (12-30-09). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Moore moved, seconded by Commissioner Flaig to approve the Fiscal Court Order #4, A Fiscal Court order of the Boone County Fiscal Court authorizing transfers in the amount of \$157,093.00 within the adopted Fiscal Year 2009-2010 Budget. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Kenner moved, seconded by Commissioner Moore to approve the Fiscal Court Order #1, A Fiscal Court order of the Boone County Fiscal Court authorizing transfers in the amount of \$3,500.00 within the adopted Calendar Year 2009-2010 Budget. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

**ITEM VIII.**

**OLD BUSINESS**

None at this time.

**ITEM IX.**

**NEW BUSINESS**

Commissioner Flaig moved, seconded by commissioner Kenner to meet in a closed session to discuss pending litigation involving the county, pursuant to KRS 61.810 (c).

Commissioner Kenner moved, seconded by Commissioner Flaig to come out of closed section. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

**ITEM XI.**

**ADJOURNMENT**

Commissioner Kenner moved, seconded by Commissioner Moore, to adjourn the meeting, ALL PRESENT VOTING AYE (4-0).

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**CLERK CERTIFICATION**

I, Daphne Kornblum, having been appointed to the office of Fiscal Court Clerk, do hereby certify that this is a true and accurate record of the actions taken by the Boone County Fiscal Court at the meeting of January 5, 2010.

Daphne Kornblum  
Fiscal Court Clerk

Date: 1/19/10