

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
January 19, 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 Moore moved, seconded by Commissioner Kenner, to approve the Minutes from the meeting of January 5, 2010. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

ITEM III.

PRESENTATIONS

None at this time.

ITEM IV.

PERSONNEL MATTERS

None at this time.

ITEM V.

ORDINANCES

Judge Moore asked the Fiscal Court Clerk to read into the record the second reading of Ordinance 10-01, AN ORDINANCE RELATING TO APPROVAL, WITH ONE CONDITION, FOR A REQUEST OF SIR BARTON PROPERTIES C/O GERALD F. DUSING (APPLICANT) FOR SIR BARTON PROPERTIES (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL SERVICES (C-3) ZONE FOR A 0.3896 ACRE TRACT LOCATED AT 10824 DIXIE HIGHWAY, BOONE COUNTY, KENTUCKY. Commissioner Moore moved, seconded by Commissioner Flaig, to approve the Ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

Judge Moore asked for a motion to table Ordinance 10-02, scheduled for a second reading and vote and move the item to VII. D. Commissioner Kenner moved, seconded by Commissioner Moore, to table and move Ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

ITEM VI.

JUDGE'S REPORT

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-11, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING ANTHONY O'DANIEL TO THE URBAN FOREST COMMISSION TO FINISH THE UNFULFILLED TERM OF LEE DUNCAN. Commissioner

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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

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-12, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDING THE SECTION 8 AUDIT FOR THE PERIOD ENDING JUNE 30, 2009 TO SAMMY K. LEE, P.S.C. 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 10-13, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AMENDING RESOLUTION 09-170 FOR THE BID AWARD OF ONE LINE ITEM OF DIVE EQUIPMENT FOR THE WATER RESCUE DEPARTMENT TO DECA DIVING. 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 10-14, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDING THE BID FOR THE ENERGY SAVINGS PERFORMANCE CONTRACT TO THE ENERGY SYSTEMS GROUP (ESG). Robin Curry, Assistant County Administrator gave a brief overview. Commissioner Flaig asked questions, Steve Roosa, representative with ESG, Jeff Earlywine, County Administrator, Judge Moore and Lisa Buerkley, Finance Director, answered questions. Several residents asked questions that were also answered. Commissioner Kenner moved, seconded by Commissioner Moore, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 3-1 (Commissioner Flaig voting Nay).

Judge Moore asked the Fiscal Court Clerk to read into the record Ordinance 10-02, First Reading, AN ORDINANCE OF THE County of Boone, KENTUCKY AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, Series 2010, IN ONE OR MORE SUBSERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,500,000 (WHICH AMOUNT MAY BE DECREASED AS NECESSARY); APPROVING THE FORM OF BONDS; AUTHORIZING DESIGNATED OFFICERS TO EXECUTE AND DELIVER THE BONDS; PROVIDING FOR THE PAYMENT AND SECURITY OF THE BONDS; CREATING A BOND PAYMENT FUND; MAINTAINING THE HERETOFORE CREATED SINKING FUND; AUTHORIZING ACCEPTANCE OF THE BIDS OF THE BOND PURCHASER OR PURCHASERS FOR THE PURCHASE OF THE BONDS; AND REPEALING INCONSISTENT ORDINANCES. Jeff Earlywine advised that this ordinance was amended to consolidate authority to issue bonds for not only the refinancing proposal but to also include the energy savings performance project. This consolidation would result in additional interest expense savings for the county Jeff Earlywine stated the second reading will be held at the February 16th Fiscal Court Meeting.

ITEM VIII.

FISCAL MATTERS

Commissioner Kenner moved, seconded by Commissioner Moore, to approve Invoice Report (1-19-10) and pre-paid invoice report dated (1-8-10). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Moore moved, seconded by Commissioner Flaig to approve Golf Course Invoice Report (1-19-10) and pre-paid Golf Course invoice report dated (1-8-10). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

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ITEM VIII.

OLD BUSINESS

None at this time.

ITEM IX.

NEW BUSINESS

Commissioner Moore commented on service by Brandon Pickett during snow removal and complimented the Public Works Department as a whole while also naming Kenney Crooker and Greg Sketch. Commissioner Flaig also complimented Public Works on a good job.

ITEM XI.

ADJOURNMENT

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

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 19, 2010.

Daphne Kornblum
Fiscal Court Clerk

Date: 2-3-10