

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
February 17, 2015
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 Moore led the Court in the Invocation and Pledge to the Flag.

Judge Moore noted that Commissioner Flaig was absent.

Present: Gary W. Moore, County Judge/Executive
Charles E. Kenner, Commissioner, District 2
Charlie Walton, Commissioner, District 3
Robert Neace, County Attorney

Staff: Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive
Lisa Buerkley, Assistant County Administrator
Ben Reece, Finance Director
Scott Pennington, County Engineer
Gary Peace, Sheriff's Department
Sharon Burcham, Fiscal Court Clerk

Absent: Cathy Flaig, Commissioner, District 1

ITEM II.

APPROVAL OF MINUTES

Commissioner Walton moved, seconded by Commissioner Kenner, to approve the Minutes from the meeting February 3, 2015. Judge Moore called for a vote on the motion, MOTION PASSES (3-0).

ITEM III.

PRESENTATIONS

Judge Moore presented a Proclamation for the 150th Anniversary Celebration of The University of Kentucky. Jerry Brown and several members of the UK Extension Office staff were present to accept the Proclamation.

ITEM IV.

PERSONNEL MATTERS

A. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-23. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING SEASONAL EMPLOYEE RE-APPOINTMENTS AND NEW HIRES, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, AT THE BOONE COUNTY GOLF COURSES. Lisa Buerkley, Assistant County Administrator commented that these positions were for the Pro Shop, Concessions and Ground Management, starting around the first of March, 2015. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 3-0.

B. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-24. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING SEASONAL EMPLOYEE RE-APPOINTMENTS AND NEW HIRES, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, AT THE BOONE COUNTY PARKS DEPARTMENT. Lisa Buerkley, Assistant County Administrator commented that this was for 61 returning employees and 18 new hires and will start around the first of April, 2015. Commissioner Walton moved, seconded by Commissioner Kenner, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 3-0.

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ITEM V.

ORDINANCES

A. Judge Moore asked the Fiscal Court Clerk to read into the record the first reading of AN ORDINANCE RELATING TO THE PROMOTION OF ECONOMIC DEVELOPMENT AND COMMERCE BY REGULATION OF CERTAIN INVOLUNTARY PAYMENTS REQUIRED OF EMPLOYEES IN BOONE COUNTY. Judge Moore commented that this is the beginning process of the Right to Work Ordinance. 24 States and a half dozen Kentucky counties have passed similar legislation. This is our first reading into the record and there will not be a vote or any discussion this evening. The Court will be gathering information on both sides. This Ordinance will not affect any existing union contracts or affect any public employees. Second reading will be March 17, 2015.

B. Judge Moore asked the Fiscal Court Clerk to read into the record the first reading of AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, PROVIDING FOR A CREDIT OF ITS OCCUPATIONAL LICENSE FEE FOR NEW EMPLOYEES AS PART OF AN ECONOMIC DEVELOPMENT PROJECT BY KEEBLER COMPANY UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM (KRS 154.32-010-KRS 154.32-100). Judge Moore commented that Dan Tobergte from Tri-ED was present to answer any questions the Court may have. Jeff Earlywine, County Administrator commented Keebler will receive 50% credit on the Occupational License Fee. Commissioner Walton asked a question about the \$50,000 wage benefit and Dan Tobergte from Tri-ED responded. Judge Moore asked for any other questions from the Court. Judge Moore stated that Keebler has been in the County for many years and is a long standing company.

C. Judge Moore asked the Fiscal Court Clerk to read into the record the second reading of AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING, WITH CONDITIONS, A REQUEST OF GREG MEYERRATKEN (APPLICANT) FOR CRESTVIEW LANDS, INC. (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM INDUSTRIAL ONE (I-1) TO MOBILE HOME PARK (MHP) FOR AN 8.5763 ACRE SITE GENERALLY LOCATED ALONG THE EAST SIDE OF ZIG ZAG ROAD, ACROSS FROM THE PROPERTY AT 5891 ZIG ZAG ROAD, AND ALONG BOTH SIDES OF FOUNTAIN DRIVE, BOONE COUNTY, KENTUCKY. Judge Moore explained that the Court had 90 days to act on this Ordinance and that Planning & Zoning had recommended approval of the Zoning Map Amendment. Judge Moore asked if there were any questions or comments from the audience. Citizen Duane Dringenberg who owns property at 5566 Zig Zag Road spoke against the zone change. Citizen Greg Dringenberg also opposed the Ordinance. Jeff Earlywine, County Administrator commented that Citizen Michael Rouse who lives at 5891 Zig Zag Road had called stating he is concerned about an increase in traffic and opposes the Ordinance. Judge Moore asked if anyone was present to speak on behalf of the Ordinance. Greg Meyerratkin, the property owner, explained that he purchased the property intending to do industrial and has been waiting 10 years to develop the property. Attorney Jerry Dusing spoke on behalf of the property owner stating it is a small 8 acres and it has been approved unanimously by the Planning Commission for this zone change. The change is a small addition to the mobile home park and a second access is a safety benefit. Commissioner Walton asked if a meeting was held with the opposing landowners to satisfy their requests. Attorney Jerry Dusing responded that landowners' requests have been met for type of tree, type of fencing and installing a buffer. Commissioner Walton asked Citizen Greg Dringenberg if they were asked. Citizen Greg Dringenberg responded that they had to take what they could get in terms of conditions from the Developer, but remained opposed to the project. Judge Moore reminded the Court that it would take three (3) votes to approve or override the Planning Commission recommendation. If no Court action occurred within ninety (90) days, the project would be approved by operation of law. Judge Moore then asked for a Motion. Commissioner Kenner stated he wanted Commissioner Flaig to be present for the vote. Judge Moore asked for a Motion, none made.

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D. Jeff Earlywine, County Administrator recommended that Item V. D be postponed for final action and the Court not act tonight and reschedule the second reading for a future meeting. Commissioner Walton moved, seconded by Commissioner Kenner to table the reading. Judge Moore called for a vote, ALL PRESENT VOTING 3-0.

E. Jeff Earlywine, County Administrator recommended that Item V. E be postponed for final action and the Court not act tonight and reschedule the second reading for a future meeting. Commissioner Walton moved, seconded by Commissioner Kenner to table the reading. Judge Moore called for a vote, ALL PRESENT VOTING 3-0.

ITEM VI.

JUDGE'S REPORT

A. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-25, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING CHRIS McKEE TO THE WALTON FIRE PROTECTION DISTRICT BOARD. Judge Moore commented this appointment will fill out a term from a resignation. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 3-0.

ITEM VII.

ADMINISTRATIVE MATTERS

A. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-26, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO EXECUTE A MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY AND THE COMMONWEALTH OF KENTUCKY TO RECONSTRUCT THE INTERSECTION OF CAMP ERNST ROAD AND LONGBRANCH ROAD AND WIDEN LONGBRANCH ROAD. Scott Pennington, County Engineer commented that no funds will be added for this design. Commissioner Walton asked about the timeline. Scott Pennington, County Engineer explained they are in the design phase and will nail down a timeline soon. Commissioner Walton expressed the heavy traffic in this area, the sooner the better. Jeff Earlywine, County Administrator commented the design is in the works with construction tentatively scheduled for 2016. Judge Moore commented that sidewalks to Longbranch are important. Commissioner Walton moved, seconded by Commissioner Kenner, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 3-0.

B. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-27, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING A PROFESSIONAL SERVICE AGREEMENT FOR WEBSITE RE-DESIGN, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, WITH THE BOONE COUNTY FISCAL COURT AND REVIZE GOVERNMENT WEBSITES. Matthew Webster, Government and Community Coordinator explained the bid process and selection of this company. Total cost for the design and implementation will be \$18,634.00. Commissioner Walton asked if there would be an annual fee. Matthew Webster responded. Judge Moore asked about an Emergency Banner on the web page. Matthew responded in affirmative. Judge Moore asked for any questions from the audience and this would be covered under the professional services line item on the budget. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 3-0.

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C. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-28, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, PROCLAIMING THE WEEK OF FEBRUARY 23- MARCH 1, 2015, TO BE UNITED AGAINST OPIATE ABUSE AND HEROIN WEEK IN BOONE COUNTY, KENTUCKY. Judge Moore commented that there are a lot of activities planned for this week in various locations across the Tri-State for the week of February 23 – March 1, 2015 to educate and train the public. The County wants to support this activity and work to eradicate the drug problem. Judge Moore asked if anyone was present in the audience to speak on behalf of this Resolution. Commissioner Walton moved, seconded by Commissioner Kenner, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 3-0.

D. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-29, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPROVING THE OUTGOING SHERIFF'S TAX SETTLEMENT AUDIT FOR ALL SPECIAL DISTRICTS FROM DECEMBER 3, 2014 THROUGH DECEMBER 31, 2014. Lisa Buerkley, Assistant County Administrator, explained this is the tax audit for Sheriff Les Hill for the month of December. Every Sheriff has their own settlement. Commissioner Walton moved, seconded by Commissioner Kenner, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 3-0.

ITEM VIII.

FISCAL MATTERS

Commissioner Kenner moved, seconded by Commissioner Walton, to approve Invoice Report dated (2-17-15) and pre-paid invoice reports dated (2/5/15 & 2/12/15). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0).

Commissioner Walton moved, seconded by Commissioner Kenner to approve Golf Course Invoice Report dated (2/17/15) and pre-paid invoice reports dated (2/5/15 & 2/12/15). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0).

Commissioner Kenner moved, seconded by Commissioner Walton to approve the Monthly Financial Report and Interfund Transfer for January 31, 2015. 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 from the Court, none replied.

ITEM X.

NEW BUSINESS

Judge Moore asked if there was any New Business before the Court. A citizen from the audience asked to approach the podium. Mr. Larry Oberding, whose business is at 1125 Victory Place, Hebron, invited the Court and public to visit their facility for training and building careers in Ironworking.

Judge Moore expressed condolences to the families of 2 public servants, former County Commissioner Ron Robinson and Retired Florence Fire Chief, Mr. R. G. Bidwell who both had recently passed away.

ITEM XI.


ADJOURNMENT

Commissioner Walton moved, seconded by Commissioner Kenner, to adjourn the meeting, ALL PRESENT VOTING AYE (3-0).

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CLERK CERTIFICATION

I, Sharon Burcham, 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 February 17, 2015.



Fiscal Court Clerk

Date: 3/4/15