

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**July 27, 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 July 13, 2010. Judge Moore called for a vote on the motion, THOSE PRESENT VOTING "AYE" 4, "NO" NONE. MOTION CARRIED 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 10-06, AN ORDINANCE RELATING TO APPROVAL, WITH CONDITIONS, FOR A REQUEST OF DOUG & MARY COX (APPLICANTS) FOR JERRY KING (OWNER) FOR A ZONING MAP AMENDMENT FROM INDUSTRIAL TWO (I-2) TO COMMERCIAL SERVICES (C-3) FOR A 0.41 ACRE PORTION OF THE SITE LOCATED AT 8484 DIXIE HIGHWAY, BOONE COUNTY, KENTUCKY; AND THE REQUEST OF DOUG & MARY COX (APPLICANTS) FOR JERRY KING (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL SERVICES (C-3) ZONE FOR A 0.73 ACRE PORTION OF THE SITE LOCATED AT 8484 DIXIE HIGHWAY, BOONE COUNTY, KENTUCKY. Commissioner Kenner moved, seconded by Commissioner Moore, to approve the resolution. Judge Moore called for a vote on the motion, THOSE PRESENT VOTING "AYE" 4, "NO" NONE. MOTION CARRIED 4-0.

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Judge Moore asked the Fiscal Court Clerk to read into the record the Second Reading of Ordinance 10-07, AN ORDINANCE RELATING TO APPROVAL, WITH CONDITIONS, FOR A REQUEST OF ROLLING HILLS RICHWOOD, LLC (OWNER) FOR A ZONING MAP AMENDMENT TO THE BOONE COUNTY, KENTUCKY ZONING MAP TO ESTABLISH A SPECIAL SIGN DISTRICT FOR A 2.58 ACRE SITE LOCATED AT 12928 FROGTOWN CONNECTOR ROAD, BOONE COUNTY, KENTUCKY. Commissioner Moore moved, seconded by Commissioner Kenner, to approve the resolution. Judge Moore called for a vote on the motion, THOSE PRESENT VOTING "AYE" 4, "NO" NONE. MOTION CARRIED 4-0.

**ITEM VI.**

**JUDGE'S REPORT**

None at this time.

**ITEM VII.**

**ADMINISTRATIVE MATTERS**

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-111, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO REVIEW AND EXECUTE A CONTRACT FOR POLICE SERVICES BETWEEN THE COUNTY AND THE BOONE COUNTY SHERIFF'S DEPARTMENT PURSUANT TO KRS 23A.206 AND 24A.176. Jeff Earlywine, County Administrator, gave a brief overview. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the resolution. Judge Moore called for a vote on the motion, THOSE PRESENT VOTING "AYE" 4, "NO" NONE. MOTION CARRIED 4-0.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-112, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDED THE BID FOR A NEW SINGLE AXLE DUMP TRUCK TO ALLSTATE PETERBILT OF CINCINNATI. Robin Curry, Assistant County Administrator, gave a brief overview. Greg Sketch, County Engineer made comments. Commissioner Flaig moved, seconded by Commissioner Moore, to approve the resolution. Judge Moore called for a vote on the motion, THOSE PRESENT VOTING "AYE" 4, "NO" NONE. MOTION CARRIED 4-0.

**ITEM VIII.**

**FISCAL MATTERS**

Commissioner Kenner moved, seconded by Commissioner Moore, to approve Invoice Report (7-27-10) and pre-paid invoice report dated (7-23-10). Judge Moore called for a vote on the motion, THOSE PRESENT VOTING "AYE" 4, "NO" NONE. MOTION CARRIED 4-0.

Commissioner Moore moved, seconded by Commissioner Flaig to approve Golf Course Invoice Report (7-27-10) and pre-paid Golf Course invoice report dated (7-23-10) and (7-20-10). Judge Moore called for a vote on the motion, THOSE PRESENT VOTING "AYE" 4, "NO" NONE. MOTION CARRIED 4-0.

**ITEM VIII.**

**OLD BUSINESS**

Mr. Hixson, resident, had questions about the bridge project in Darlington Farms. Judge Moore responded, reiterating the project would be completed before the new school season started. Mr. Klette, resident, and Boone County Tea Party representative, asked the court to approve a resolution supporting Arizona Senate Bill 1070. Mr. Klette then read the resolution aloud. Commissioner Flaig said she supported the resolution. Commissioner Moore asked that the County Attorney look at the wording before a resolution was drafted. Judge Moore stated he supported the resolution but would also like the County Attorney to look at the wording. Commissioner Kenner stated he supported the resolution. Judge Moore responded that the County Attorney would look over the resolution and the original or a revised resolution would be brought back to the next Fiscal Court meeting.

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**ITEM IX.**

**NEW BUSINESS**

None at this time.

**ITEM XI.**

**CLOSED SESSION**

At this time Judge Moore noted that the Fiscal Court needed to enter into a Closed Session to discuss a legal matter. Judge Moore noted that there would not be any action as a result of the Executive Session.

Commissioner Kenner moved, seconded by Commissioner Moore, to enter into Closed Session for purposes of discussing litigation, pursuant to KRS 61.810(c). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Kenner moved, seconded by Commissioner Flaig to come out of Closed Session and move back into open session. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). There was no action taken by the court following the closed session.


**ITEM XII.**

**ADJOURNMENT**

Commissioner Kenner moved, seconded by Commissioner Moore, to adjourn the meeting, THOSE PRESENT VOTING "AYE" 4, "NO" NONE. MOTION CARRIED 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 July 27, 2010.

  
Fiscal Court Clerk

Date: 8/11/10