

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**December 7, 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  
(Absent) 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 November 23, 2010. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

**ITEM III.**

**PRESENTATIONS**

Judge Moore officiated the swearing in of Karen Byrd with the Boone County School Board.

Judge Moore moved Item VII. A up on the agenda. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-172, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE SHERIFF'S BUDGET, GENERAL TERM ORDER, AND ANNUAL ORDER FOR THE CALENDAR YEAR 2011. Sheriff Helmig then provided a summary of his proposed FY 2011 budget request. Commissioner Moore extended her appreciation to Sheriff Helmig. Commissioner Kenner made comments. Jeff Earlywine noted how pay increases would be figured retro to January 1, 2011 if pay increases are approved for other County employees by the Fiscal Court next year. 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 IV.**

**PERSONNEL MATTERS**

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-164, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE HIRING OF A SPECIAL EVENT WORKER FOR THE PARKS DEPARTMENT. Robin Curry, Assistant County Administrator made brief comments. Commissioner Moore 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 10-165, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPOINTING KATIE TALLON TO A TEMPORARY INTERNSHIP IN THE HUMAN SERVICES DEPARTMENT. Robin Curry made brief comments. 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.

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**ITEM VI.**

**JUDGE'S REPORT**

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-166, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE-EXECUTIVE, RE-APPOINTING DENNIS JOSEPH MATHIS AND LINDA PADGETT TO THE BOONE COUNTY EXTENSION DISTRICT BOARD. Judge Moore made comments. 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 10-167, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING ERIC RICHARDSON TO THE TELECOMMUNICATIONS BOARD OF NORTHERN KENTUCKY. Judge Moore made comments. 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 10-168, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING TED BUSHELMAN TO THE CABLE COMMUNITY PROGRAM CENTER'S ADVISORY COMMITTEE. Judge Moore made comments. 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.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-169, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING VARIOUS MEMBERS TO THE CENTRAL PARK ARBORETUM ADVISORY COUNCIL. Judge Moore made comments. 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 10-170, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING TIM ALEXANDER, JR. TO THE BOONE COUNTY WATER DISTRICT COMMISSION. Judge Moore made comments. 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 10-171, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE RE-APPOINTMENT OF COUNTY JUDGE/EXECUTIVE GARY W. MOORE, TO THE OHIO-KENTUCKY-INDIANA (OKI) REGIONAL COUNCIL OF GOVERNMENTS BOARD OF TRUSTEES. Judge Moore made comments. Commissioner Moore moved, seconded by Commissioner Kenner, 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 10-173, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING JUDGE/EXECUTIVE GARY W. MOORE TO EXECUTE AN AGREEMENT WITH THE KENTUCKY DEPARTMENT OF AGRICULTURE FOR AN ANIMAL SHELTER CONSTRUCTION & IMPROVEMENT GRANT. Jeff Earlywine, County Administrator, gave an overview of the grant and what improvements would take place at our Shelter. Commissioner Moore made comments. Commissioner Moore 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 10-174, A RESOLUTION AUTHORIZING THE ISSUANCE OF INDUSTRIAL BUILDING REVENUE BONDS (AVCAP CVG, LLC PROJECT), SERIES 2010 OF THE COUNTY OF BOONE, KENTUCKY IN A PRINCIPAL AMOUNT NOT TO EXCEED \$8,000,000, THE PROCEEDS OF WHICH SHALL BE LOANED TO AVCAP CVG, LLC, TO FINANCE THE ACQUISITION, CONSTRUCTION, INSTALLATION AND EQUIPPING OF A CERTAIN INDUSTRIAL BUILDING PROJECT LOCATED WITHIN THE COUNTY OF BOONE, KENTUCKY, WHICH PROJECT IS AN UNDERTAKING INVOLVING THE USE OF AIRPORTS; PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SUCH BONDS; AUTHORIZING A LOAN AGREEMENT AND INDENTURE APPROPRIATE FOR THE PROTECTION AND DISPOSITION OF SUCH REVENUES AND TO FURTHER SECURE SUCH BONDS; AUTHORIZING A TAX REGULATORY AGREEMENT; AND AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS. Jeff Earlywine made comments. Ian Koffler, Bond Counsel also made comments noting that the County assumed no obligation for repayment of the bonds. Paul Hegedus, Director of Commercial Operations, Airport, made comments. Judge Moore made comments. Commissioner Flaig asked a question to which Paul Hegedus responded. Commissioner Flaig asked a question to which Ian Koffler responded. Jeff Earlywine responded and asked a question to which Paul Hegedus responded. Commissioner Flaig asked a question to which Paul Hegedus responded. James Bozman, resident, asked a question to which Jeff Earlywine responded. Steve Fritz, resident, asked a couple of questions to which Judge Moore and Ian Koffler responded. Judge Moore made final comments on project. 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 10-175, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING JUDGE/EXECUTIVE GARY W. MOORE TO EXECUTE AN AGREEMENT WITH THE KENTUCKY TRANSPORTATION CABINET AND THE BOONE COUNTY FISCAL COURT FOR THE BOONE COUNTY GUNPOWDER CREEK TRAIL SYSTEM TRANSPORTATION, COMMUNITY, AND SYSTEM PRESERVATION GRANT PROGRAM. Adam Howard, Community and Government Relations, gave a presentation. Adam noted that the Grant Funds would be used for property acquisition and related exercises. No property improvements or trail construction would take place as part of this grant. An option to purchase, if obtained, would be brought back to the court at a future date. Approval of the Grant Agreement simply enables the due diligence work on the part of the County to proceed. Judge Moore made comments and gave an explanation for the funding of this project and opened the floor to the Commissioners. Commissioner Kenner asked question to which Judge Moore responded. Commissioner Flaig asked a couple of questions to which Judge Moore and Lisa Buerkley responded. Commissioner Flaig asked a question to which Lisa Buerkley responded. Eugenia Cisero, resident, asked a question to which Judge Moore responded. Richard Stratford, resident, read a letter presented to the Judge and Commissioners from the Tea Party. Steve Fritz, resident, responded and Judge Moore thanked him. Eric Renell asked a question to which Judge Moore responded. Kelly Doll, resident, made comments and asked a question to which Judge Moore responded. Ray Hartke, resident, asked a question to which Judge Moore responded. James

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Bozman, resident, asked a question to which Judge Moore responded. Kelly Doll asked a question to which Judge Moore responded. Jeff Smith, resident, asked a question to which Judge Moore responded. Commissioner Moore made comments. Commissioner Moore moved, seconded by Commissioner Kenner, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 3-1. (Commissioner Flaig voted "No")

**ITEM VIII.**

**FISCAL MATTERS**

Commissioner Kenner moved, seconded by Commissioner Moore, to approve Invoice Report (12-7-10) and pre-paid invoice report dated (11-26-10) and (12-3-10). 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 (12-7-10) and pre-paid Golf Course invoice report dated (12-3-10). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Moore moved, seconded by Commissioner Flaig to approve the Monthly Financial Report and Interfund Transfer for October. 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**

Jeff Earlywine briefly reviewed the 911/Emergency Communication System Funding Study-Final Report and read the names of committee members. Commissioner Kenner made comments. Judge Moore gave his appreciation to Commissioner Elect, Matt Dedden for serving on the board. Jeff Earlywine made comments and thanked Jim Staverman. Judge Moore thanked Jeff Earlywine for his work on the board. No action was requested at this time.

David Whitehouse gave a presentation of the proposed Boone County Parks Department Memorial Program. Commissioner Moore made comments and had a question for Lisa Buerkley to which she responded. Judge Moore made comments. Jeff Earlywine stated that the staff was simply looking for direction from the Fiscal Court for the program. Commissioner Kenner said he endorsed the program. Commissioner Flaig had a question to which David Whitehouse responded. Several suggestions were made and the staff agreed to make several amendments.

**ITEM XI.**

**ADJOURNMENT**

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

**CLERK CERTIFICATION**

I, \_\_\_\_\_, 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 December 7, 2010.

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*Naphne Kambum*  
Fiscal Court/Clerk

Date: 12/22/10