

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, March 13, 2007
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 H. Flaig, Commissioner, District 1
Charles E. Kenner, Commissioner, District 2
Terri Moore, Commissioner, District 3
J.R. Schrand, County Attorney
Jeff Smith, Assistant County Attorney

Staff: Lisa Buerkley, County Treasurer
Robin Curry, Assistant County Administrator
Tim Williams, Assistant County Administrator
Major Ben Huff, Sheriff's Department
Melanie M. Morris, Executive Assistant
Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive
Louis Kelly, Fiscal Court Clerk
Greg Sketch, County Engineer

ITEM II.

APPROVAL OF MINUTES

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Minutes from the meeting of February 27, 2007. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit A)

ITEM III.

COMMUNICATIONS

Commissioner Flaig moved, seconded by Commissioner Moore to accept a letter from Arlinghaus Builders withdrawing their application for a Zoning Map Amendment for the Autumn Woods Subdivision.

ITEM IV.

DELEGATIONS

Commissioner Kenner and Judge Moore introduced and recognized the 8th Grade Girls Basketball Team from Immaculate Heart of Mary. The team had won several tournaments and finished the regular season 36-1.

ITEM V.

PERSONNEL MATTERS

Commissioner Flaig moved, seconded by Commissioner Moore to approve Resolution 07-42, a Resolution of the Boone County Fiscal Court authorizing various seasonal appointments at the golf courses. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit V A)

Commissioner Kenner moved, seconded by Commissioner Flaig to approve Resolution 07-43, a Resolution of the Boone County Fiscal Court authorizing appointing Helen Kelly to the position of part-time receptionist. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit V B)

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, March 13, 2007
5:30 P.M.

Commissioner Flaig moved, seconded by Commissioner Moore to approve Resolution 07-44, a Resolution of the Boone County Fiscal Court authorizing the appointment of Matthew Craddock to the position of Property Maintenance Technician III. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit V C)

Commissioner Kenner moved, seconded by Commissioner Moore to approve Resolution 07-45, a Resolution of the Boone County Fiscal Court authorizing various seasonal appointments in the Boone County Parks Department. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit V D)

ITEM VI.

ORDINANCES

Second Reading, SOB Ordinance

Second reading was given for an Ordinance of the Boone County Fiscal Court repealing and replacing Chapter 111 of the Boone County Code of Ordinances, establishing licensing requirements and regulations for sexually oriented businesses within Boone County, Kentucky.

Prior to taking a vote on the ordinance, Judge Moore asked if there was anyone in the audience who would like to speak in opposition to the ordinance. Seeing none Judge Moore asked if there were anyone who wished to speak in support of the ordinance.

Velynn Tapia addressed the Court and said that she supported the ordinance. However, she asked if the licensing fee could be increased as it has been higher in other areas.

County Administrator Jeff Earlywine stated that while the licensing fee could be raised as needed, they decided to set the current amount at \$100 to ensure that it would not be challenged as excessive. Mr. Earlywine also stated that the zoning component of the ordinance would be forthcoming within the next few months.

Mrs. Tapia responded by saying that she hoped the zoning ordinance would place at least 1500 feet between an SOB and schools and neighborhoods to reduce the secondary effects. She also asked that signage requirements dictate that there are no images or silhouettes.

Following the comments Commissioner Moore moved, seconded by Commissioner Flaig to approve the ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI A)

Second Reading, Chipman Zone Change

Second reading was given for an Ordinance of the Boone County Fiscal Court approving, with conditions, for a request of Industrial Developments International (applicant) for William and Betty Chipman (owners) for a zoning map amendment, such zoning map amendment being a zone change from Agricultural Estate (A-2) to Industrial One (I-1) for a 5 acre site located at 11685 Dixie Highway, Boone County, Kentucky.

Commissioner Flaig moved, seconded by Commissioner Kenner to approve the ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI B)

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, March 13, 2007
5:30 P.M.

Second Reading, Beckman Coulter KJDA Credit

Second reading was given for an Ordinance of the Board of Commissioners of 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 Beckman Coulter, Inc. under the Kentucky Jobs Development Act (KRS 154.24.010-150).

Commissioner Flaig moved, seconded by Commissioner Moore to approve the ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI C)

First Reading, Kingsgate Zone Change

Kevin Wall gave a presentation and first reading was given for an Ordinance of the Boone County Fiscal Court approving, with conditions, for a request of Mike Ziegler (applicant) for Kingsgate Square, LLC (owner) for a change in an approved concept development plan in a Commercial Two (C-2) zone and an Office Two (O-2) zone for a 6.28 acre site located at 2279, 2325 and 2355 Burlington Pike, and immediately east of the property at 6159 First Financial Drive, Boone County, Kentucky; and for a zoning map amendment from Office Two (O-2) to Commercial Two (C-2) for an approximate 0.5 acre area within the 6.28 acre site located at 2279, 2325 and 2355 Burlington Pike, and immediately east of the property at 6159 First Financial Drive, Boone County, Kentucky.

Second reading for this ordinance was scheduled for March 27, 2007.

ITEM VII.

JUDGE'S REPORT

Judge Moore signed a proclamation declaring March, 2007 "Severe Storms Preparedness Month."

Commissioner Kenner moved, seconded by Commissioner Flaig to approve Resolution 07-46, a Resolution of the Boone County Fiscal Court approving the action of Gary W. Moore, County Judge/Executive, re-appointing Terri Moore to the Boone County Animal Shelter Advisory Board. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII B)

Commissioner Flaig moved, seconded by Commissioner Moore to approve Resolution 07-47, a Resolution of the Boone County Fiscal Court approving the action of Gary W. Moore, County Judge/Executive, re-appointing Ben Wright to the Boone County Urban Forestry Commission. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII C)

ITEM VIII.

OLD BUSINESS

There was no old business before the Court at this meeting

ITEM IX.

ADMINISTRATIVE MATTERS

Commissioner Flaig moved, seconded by Commissioner Kenner to approve Resolution 07-48, a Resolution of the Boone County Fiscal Court authorizing \$12,500 in matching funds for a Land and Water Conservation Fund Grant Application. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit IX A)

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, March 13, 2007
5:30 P.M.

Commissioner Flaig moved, seconded by Commissioner Moore to approve Resolution 07-49, a Resolution of the Boone County Fiscal Court authorizing Gary W. Moore, County Judge/Executive, to submit a Federal-Aid Transportation Enhancement program application for the Hebron Business Pedestrian Connection. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit IX B)

Commissioner Flaig moved, seconded by Commissioner Kenner to approve Resolution 07-41, a Resolution of the Boone County Fiscal Court authorizing the submission of a grant application to the Kentucky Transportation Cabinet, for the Kentucky Safe Routes to School program. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit IX C)

Commissioner Kenner moved, seconded by Commissioner Moore to approve Resolution 07-50, a Resolution of the Boone County Fiscal Court accepting \$300,000 for the second year of Community Development Block Grant (CDBG) Recovery Kentucky Project and accepting the terms and conditions thereto as set forth by the Governor's Office of Local Development. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit IX D)

Commissioner Flaig moved, seconded by Commissioner Moore to approve Resolution 07-51, a Resolution of the Boone County Fiscal Court authorizing Gary W. Moore, County Judge/Executive, to submit a Recreational Trail Program application for the Gunpowder Creek Greenway. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit IX E)

ITEM X.

NEW BUSINESS

Judge Moore wanted to recognize and welcome Tim Williams, Assistant County Administrator, who was attending his first Fiscal Court meeting.

ITEM XI.

FISCAL MATTERS

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve an invoice report dated 03-09-07 and prepaid invoice reports dated 03-09-07 and 03-02-07. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Moore moved, seconded by Commissioner Kenner, to approve Court Order #5, a Fiscal Order of the Boone County Fiscal Court authorizing transfers in the amount of \$155,360 within the adopted Fiscal Year 2006-2007 Budget. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

ITEM XII.

ADJOURNMENT

Prior to adjournment Judge Moore wanted to congratulate County Attorney J.R. Schrand on being appointed Circuit Judge by Governor Fletcher. Mr. Schrand expressed his gratitude for the opportunity to serve as County Attorney and wished the members well.

Following the remarks Commissioner Kenner moved, seconded by Commissioner Moore, to adjourn the meeting, ALL PRESENT VOTING AYE (4-0). The meeting was adjourned at 6:50 p.m.

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, March 13, 2007
5:30 P.M.

CLERK CERTIFICATION

I, Louis Kelly, 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 13, 2007.

Louis Kelly
Fiscal Court Clerk

Date: _____