

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, March 27, 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
Bob Neace, County Attorney
Jeff Smith, Assistant County Attorney

Staff: Lisa Buerkley, County Treasurer
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 Flaig moved, seconded by Commissioner Moore to approve the Minutes from the meeting of March 13, 2007. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit A)

ITEM III.

DELEGATIONS

Representatives from People Working Cooperatively (PWC) gave a presentation on their efforts in Boone County.

ITEM IV.

PERSONNEL MATTERS

Commissioner Kenner moved, seconded by Commissioner Flaig to approve Resolution 07-52, a Resolution of the Boone County Fiscal Court appointing Javier A. Laboy to the part-time seasonal position of Arboretum Intern. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit IV A)

Commissioner Moore moved, seconded by Commissioner Kenner to approve Resolution 07-53, a Resolution of the Boone County Fiscal Court authorizing various part-time seasonal appointments for Golf Course concessions. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit IV B)

ITEM V.

ORDINANCES

Second Reading, Kingsgate Zone Change

Second 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

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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.

Judge Moore asked if anyone wished to speak out against the request. Seeing none Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the request. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit V A)

First Reading, RJ Construction Zone Change

Mitch Light gave a presentation and first reading was given for an Ordinance of the Boone County Fiscal Court approving, with conditions, for a request of ECE, Inc. (applicant) for RJ Construction Group, Inc. (owner) for a zoning map amendment, such zoning map amendment being a zone change from Agricultural Estate (A-2) to Rural Suburban Estates (RSE) for an 11.27 acre site generally located on the south/east side of Richwood Road, to the immediate south/west of the property at 865 Richwood Road, and approximately 525 feet to the north/east of the Richwood Road/Chambers Road intersection, Boone County, Kentucky.

Following the presentation Judge Moore asked if the road built in the subdivision was private and whether it met the County road standards.

Mr. Light responded that the road was private and that it did not meet the current County standards.

Judge Moore, County Administrator Jeff Earlywine, and County Engineer Greg Sketch all voiced concern that the residents may want the County to take maintenance over the road and if so, they should have the road meet the current County standards. Mr. Earlywine stated that the staff would look over this with the applicant before second reading. Judge Moore then announced that second reading would be tentatively scheduled for April 17, 2007.

ITEM VI.

JUDGE'S REPORT

There were no items under the Judge's Report at this meeting.

ITEM VII.

OLD BUSINESS

There were no items of old business before the Court at this meeting.

ITEM VIII.

ADMINISTRATIVE MATTERS

Field Usage Fees

Judge Moore asked the Fiscal Court Clerk to read Resolution 07-54, a Resolution of the Boone County Fiscal Court affirming the County Administrator's implementation of field-usage fees in the Boone County Parks Department, into the record.

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Judge Moore noted that he had received several emails regarding the subject of field usage fees and although the Court was not required to take any action, he decided for the Court to take a vote in an effort to promote transparency and open government. Judge Moore asked if anyone was present who wished to speak in regards to the proposal.

Scott Stevens from Union stated that he believed the fee was excessive. He noted that he coaches two softball teams and both of them practice on a private field. He believed that they should not have to pay the fee if they only use the field a handful of times over the summer. He also expressed concern for parents who have multiple kids playing softball and the financial hardship that will occur.

Judge Moore reiterated that the Fiscal Court was placing a \$50 cap per family, per year for the usage fee and that the fee would be waived to any participant who received a scholarship from their league. Judge Moore noted that this fee was not designed to limit the participation of any resident.

Judge Moore also stated that with the increase in population in the County over the last several years, the need to maintain the fields have increased and something had to be done. He noted that it was difficult to find an equitable solution that would be fair to everyone and that the administration tried to use a formula that would charge only what was necessary to make the improvements.

Commissioner Kenner wanted to clarify that the County did not impose a park tax, which some residents had believed. He noted that there is no revenue stream other than the general fund that is dedicated to making these improvements.

Commissioner Flaig asked if the Court would be addressing this issue each year. Judge Moore replied that the County would be adopting a policy to address user fees each year with the adoption of the budget.

Commissioner Moore stated that she believed the fee was a product of careful planning and consideration and made a motion to approve the Resolution. Commissioner Kenner seconded the motion. Judge Moore called for a vote, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII A)

Bid Awards

Commissioner Kenner moved, seconded by Commissioner Flaig to approve Resolution 07-55, a Resolution of the Boone County Fiscal Court awarding the grass cutting bid for Waller Stephenson Park to A & A Lawn Care and Landscaping. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII B)

Commissioner Flaig moved, seconded by Commissioner Moore to approve Resolution 07-56, a Resolution of the Boone County Fiscal Court awarding the bids for Golf Turf products as administered by Kenton County on behalf of all three Northern Kentucky Counties. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII C)

ITEM IX.

NEW BUSINESS

Judge Moore wanted to recognize the new County Attorney, Bob Neace, who was making his first appearance with the Court. Mr. Neace thanked Judge Moore and stated that he looked forward to working with the Court in the future.

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ITEM X.

FISCAL MATTERS

Commissioner Flaig moved, seconded by Commissioner Kenner to approve an invoice report dated 03-23-07 and prepaid invoice reports dated 03-16-07 and 03-23-07. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

ITEM XI.

ADJOURNMENT

Commissioner Kenner moved, seconded by Commissioner Moore, to adjourn the meeting, ALL PRESENT VOTING AYE (4-0). The meeting was adjourned at 6:35 p.m.

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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 March 27, 2007.

Louis Kelly
Fiscal Court Clerk

Date: _____