

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**Tuesday, June 19, 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

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 Flaig moved, seconded by Commissioner Moore, to approve the Minutes from the meeting of June 5, 2007. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

**ITEM III.**

**DELEGATIONS**

TANK Deputy General Manager Andrew Aiello introduced himself and new General Manager Mary Lou Franzoni to the Fiscal Court and stated that they were looking forward to working with the Fiscal Court in the future.

Commissioner Kenner moved, seconded by Commissioner Flaig to accept a letter from Duke Realty withdrawing their request for a zoning map amendment. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Judge Moore recognized Tony Utz of the Public Works Department for winning the Employee of the Year award at the annual AWPA banquet.

Judge Moore read a proclamation declaring June 19, 2007 as "Florence Women's Club Day."

**ITEM IV.**

**PERSONNEL MATTERS**

Commissioner Flaig moved, seconded by Commissioner Kenner to approve Resolution 07-120, a Resolution of the Boone County Fiscal Court re-appointing Lisa H. Buerkley to the position of County Treasurer. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit IV A)

Commissioner Kenner moved, seconded by Commissioner Flaig to approve Resolution 07-121, a Resolution of the Boone County Fiscal Court promoting David Neff from Laborer 3/Truck Driver to Truck Driver/Operator in the public works department. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit IV B)

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Following the Resolution, Commissioner Kenner left the room to take an emergency phone call.

Commissioner Moore moved, seconded by Commissioner Flaig to approve Resolution 07-122, a Resolution of the Boone County Fiscal Court approving the hiring of Sean Eddington as a PC/LAN technician in the Information Services Department. Judge Moore called for a vote on the motion, MOTION PASSES (3-0). (Exhibit IV C)

Commissioner Moore moved, seconded by Commissioner Flaig to approve Resolution 07-123, a Resolution of the Boone County Fiscal Court approving the hiring of Kyle Geohegan to the position of Seasonal Laborer in the Parks Department. Judge Moore called for a vote on the motion, MOTION PASSES (3-0). (Exhibit IV D)

**ITEM V.**

**ORDINANCES**

At this point in the agenda the Fiscal Court was to give second reading and adoption of the budget but Judge Moore asked for a motion to table the budget vote until Commissioner Kenner could rejoin the meeting. Commissioner Flaig moved, seconded by Commissioner Moore to table the budget ordinance. Judge Moore called for a vote on the motion, MOTION PASSES (3-0).

**Second Reading, Personnel Policies Ordinance**

Second reading was given for an Ordinance repealing the Boone County Personnel Policies and Procedures for Employees, said policy having been previously adopted by Ordinance 01-04 on February 27, 2001, and adopting new Personnel Policies and Procedures. Commissioner Flaig moved, seconded by Commissioner Moore to approve the Ordinance. Judge Moore called for a vote on the motion, MOTION PASSES (3-0). (Exhibit V B)

**First Reading, Robertson Zone Change Request**

Mitch Light from the Planning Commission gave a presentation and first reading was given for an Ordinance of the Boone County Fiscal Court approving, with conditions, for a request of John Robertson through attorney C.J. Victor (Applicant) for John Robertson (Owner) for a zoning map amendment, such zoning map amendment being a zone change from Commercial One (C-1) to Commercial Services (C-3) for a 1.18 acre portion of a 2.62 acre tract located at 5630 Limaburg Road, Boone County, Kentucky.

Second reading for this ordinance was tentatively scheduled for the July 10th meeting.

**Second Reading, County Budget**

At this point, Commissioner Kenner rejoined the Fiscal Court and Judge Moore called for a motion to bring the budget ordinance back on the agenda. Commissioner Flaig moved, seconded by Commissioner Moore. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Second reading was then given for an Ordinance relating to the annual budget and appropriations for Fiscal Year 2007-2008. Commissioner Kenner 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 V A)

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**ITEM VI.**

**JUDGE'S REPORT**

Commissioner Kenner moved, seconded by Commissioner Flaig to approve Resolution 07-124, a Resolution of the Boone County Fiscal Court approving the action of Gary W. Moore, County Judge/Executive, appointing Tara L. Negard to the Boone County Board of Assessments Appeals. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI A)

Commissioner Moore moved, seconded by Commissioner Flaig to approve Resolution 07-125, a Resolution of the Boone County Fiscal Court approving the action of Gary W. Moore, County Judge/Executive, re-appointing Michelle Bollman and Douglas C. Becker to the Boone County Animal Shelter Advisory Board. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI B)

Commissioner Kenner moved, seconded by Commissioner Moore to approve Resolution 07-126, a Resolution of the Boone County Fiscal Court approving the action of Gary W. Moore, County Judge/Executive, re-appointing Terry Edwards to the Boone County Zoning Appeals and Adjustment Board. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI C)

Commissioner Flaig moved, seconded by Commissioner Kenner to approve Resolution 07-127, a Resolution of the Boone County Fiscal Court approving the action of Gary W. Moore, County Judge/Executive, re-appointing Eric Summer to the Boone Conservancy Board. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI D)

Commissioner Flaig moved, seconded by Commissioner Moore to approve Resolution 07-128, a Resolution of the Boone County Fiscal Court approving the action of Gary W. Moore, County Judge/Executive, re-appointing Rebecca Lancaster to the Petersburg Fire Protection District Board. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI E)

**ITEM VII.**

**OLD BUSINESS**

There was no old business before the Court at this meeting.

**ITEM VIII.**

**ADMINISTRATIVE MATTERS**

Human Services Director Kirk Kavanaugh gave a presentation on the Mental Health/Mental Retardation/Aging Tax Board recommendations. Following Mr. Kavanaugh's presentation Commissioner Flaig moved, seconded by Commissioner Kenner to approve Resolution 07-129, a Resolution of the Boone County Fiscal Court approving the recommendations of the Mental Health/Mental Retardation/Aging Tax Board. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII A)

Commissioner Kenner moved, seconded by Commissioner Moore to approve Resolution 07-130, a Resolution of the Boone County Fiscal Court acknowledging receipt and filing of the Fiscal Year 2007-2008 Special District Budgets. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII B)

Commissioner Flaig moved, seconded by Commissioner Kenner to approve Resolution 07-131, a Resolution of the Boone County Fiscal Court supporting the application for a 2007 Preserve America

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Historic Preservation Fund Grant. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII C)

Commissioner Kenner moved, seconded by Commissioner Moore to approve Resolution 07-132, a Resolution of the Boone County Fiscal Court requesting and strongly urging Congress to amend necessary federal regulations to allow federal financial participation for medical benefits to incarcerated individuals until convicted and sentenced to secure detention. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII D)

Commissioner Flaig moved, seconded by Commissioner Kenner to approve Resolution 07-133, a Resolution of the Boone County Fiscal Court accepting \$500,000 in CDBG Funds for the Boone County Senior Center project at the R.C. Durr YMCA and committing the Fiscal Court to enter into a funding agreement for said CDBG funds by July 13, 2007. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII E)

Commissioner Flaig moved, seconded by Commissioner Moore to approve Resolution 07-134, a Resolution of the Boone County Fiscal Court committing the Fiscal Court to fund all project cost overruns for the Boone County Senior Center at the R.C. Durr YMCA project. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII F)

Commissioner Kenner moved, seconded by Commissioner Flaig to approve Resolution 07-135, a Resolution of the Boone County Fiscal Court declaring that no government offices shall be located in the Boone County Senior Center at the R.C. Durr YMCA. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII G)

Commissioner Kenner moved, seconded by Commissioner Moore to approve Resolution 07-136, a Resolution of the Boone County Fiscal Court committing to advertise for bids for construction of the Boone County Senior Center at the R.C. Durr YMCA on or before November 1, 2007 or forfeit CDBG funds approved for the project. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII H)

Commissioner Flaig moved, seconded by Commissioner Kenner to approve Resolution 07-137, a Resolution of the Boone County Fiscal Court declaring that the Boone County Senior Center at the R.C. Durr YMCA being financed with CDBG funds shall be for the exclusive use of senior citizens in accordance with policies for similar CDBG-funded facilities. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII I)

Commissioner Flaig moved, seconded by Commissioner Moore to approve Resolution 07-138, a Resolution providing assurances of the Boone County Fiscal Court related to CDBG Program administrative requirements for the Boone County Senior Center at the R.C. Durr YMCA project. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII I-2)

Commissioner Kenner moved, seconded by Commissioner Moore to approve Resolution 07-139, a Resolution authorizing County Judge/Executive Gary W. Moore to enter into a legally binding agreement with the YMCA of Greater Cincinnati regarding the occupancy, programming, administration, maintenance, repair and insurance of the Boone County Senior Center at the R.C. Durr YMCA. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII I-3)

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Commissioner Moore moved, seconded by Commissioner Kenner to approve Resolution 07-140, a Resolution of the Boone County Fiscal Court awarding the annual bids for the Public Works Department. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII J)

Commissioner Moore moved, seconded by Commissioner Kenner to approve Resolution 07-141, a Resolution of the Boone County Fiscal Court supporting the application for grants funding cleanup of illegal dumps. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII K)

Commissioner Moore moved, seconded by Commissioner Flaig to approve Resolution 07-142, a Resolution of the Boone County Fiscal Court authorizing a 3.0% cost of living adjustment to the County's official pay table. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII L)

**ITEM IX.**

**NEW BUSINESS**

There was no new business before the Court at this meeting.

**ITEM X.**

**FISCAL MATTERS**

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve an invoice report dated 06-19-07 and a prepaid invoice report dated 06-08-07. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit X A)

Commissioner Flaig moved, seconded by Commissioner Moore to approve Court Order #9, a fiscal order of the Boone County Fiscal Court authorizing transfers in the amount of \$1,039,491. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit X B)

Commissioner Moore moved, seconded by Commissioner Kenner to approve the Monthly Financial Report for May 2007. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit X C)

Commissioner Kenner moved, seconded by Commissioner Flaig to approve an Annual Standing Order Setting the Maximum Amount for Jail Personnel. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit X D)

**ITEM XI.**

**ADJOURNMENT**

Commissioner Flaig moved, seconded by Commissioner Kenner, to adjourn the meeting, ALL PRESENT VOTING AYE (4-0). The meeting was adjourned at 7:00 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 June 19, 2007.

\_\_\_\_\_  
Louis Kelly  
Fiscal Court Clerk

Date: \_\_\_\_\_