

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, August 21, 2007
5:30 P.M.

First Reading, Regarding ATV Regulations and Penalties

First reading was given for an ordinance amending Chapter 93 of the Boone County Code of Ordinances to add regulations and penalties pertaining to the use of an all terrain vehicle, dirt bike or motorcycle off road in a manner which constitutes a public nuisance. (Exhibit V B)

Assistant County Administrator Tim Williams briefed the Fiscal Court that last May they were presented with a petition from the residents of Garden Estates (Rose Petal Drive) requesting that restrictions be placed on All Terrain/Off Road Vehicles. This request was due to excessive noise and dust created by said vehicles. Tim informed the court that in order to ensure all points of view were considered when drafting this ordinance, the county created an ad-hoc committee of residents, farm interests, property rights advocates, and ORV/ATV enthusiasts to discuss the issue.

Second reading for the ordinance was tentatively scheduled for the September 18th meeting.

First Reading, Autumn Woods Subdivision

Mitch Light from the Planning Commission gave a presentation and first reading was conducted for an ordinance of the Boone County Fiscal Court approving, with conditions a request of Long Branch Development, Inc. (Applicant) For AF Investments LLC, Riegler Family LLC, Benjamin A. Riley, Patricia A. Riley, Donel Tanner, Alberta Tanner, Arlinghaus Investments LLC, And Robert Schroder (Owners) for zoning map amendments from Agriculture (A-1), Agricultural Estate (A-2) And Rural Suburban Estates (RSE) to Suburban Residential One/Planned Development (SR-1/PD) for 339.3 acres and Commercial One/Planned Development (C-1/PD) for 5.39 acres, both for a 344.69 acre total area generally located between the south side of Longbranch Road across from the Barrone Street intersection and the north side of Hathaway Road, including the property at 2505 Longbranch Road AND properties to the east, west, and south of 2505 Longbranch Road, the property at 2444 Hathaway road and properties to the north of 2444 Hathaway Road, Boone county, Kentucky, and providing the recommendation be forwarded to the Boone County Fiscal Court, Burlington, Kentucky. (Exhibit VC)

Judge Moore expressed concern over accessibility of subdivision's public land for all six pods. The Judge also felt as though the 10ft. wide corridor regarding power lines over pods 5 and 6 needed addressed prior to second reading.

Commissioner Flaig inquired about future development of a strip center around the development and road access for all the future residents.

Assistant County Administrator Tim Williams suggested that the walking trail in the proposal be expanded from 10 ft to 15 ft.

County administrator Jeff Earlywine requested a clarification regarding condition No. 11 relating to future school site.

Second reading for the ordinance was tentatively scheduled for the September 18th meeting.

First Reading, Establishing the 2007 Ad Valorem Tax Rates

First reading was given on an ordinance of the Boone County Fiscal Court establishing the 2007 Ad Valorem Tax Rates for BOONE COUNTY, KENTUCKY. (Exhibit V D)

The Second Reading and Public Hearing for the ordinance was scheduled for the September 4th meeting.

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, August 21, 2007
5:30 P.M.

Second Reading, Establishing Parking Restrictions along Hart Drive

Second Reading was given on Ordinance 07-18 amending Chapter 71 of the Boone County Code of Ordinances to add regulations and penalties pertaining to the parking of motor vehicles along Hart Drive in Hebron, Kentucky; specifically prohibiting parking on Hart Drive during school hours while school is in session and authorizing the Boone County Sheriff's Department to issue parking tickets for violations of same.

Mr. John Wykert, a resident along Hart Drive, addressed the court thanking them for its action. Mr. Wykert also requested more signs be placed along the drive. County Engineer, Greg Sketch, stated that they are going to see how effective the current number of signs posted are, and if need be more signs would certainly be added.

Commissioner Kenner moved, seconded by Commissioner Flaig to approve the Ordinance. Judge Moore called for a vote on the motion, MOTION PASSES (4-0). (Exhibit V E)

ITEM VI.

JUDGE'S REPORT

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

ITEM VII.

OLD BUSINESS

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

ITEM VIII.

ADMINISTRATIVE MATTERS

Commissioner Moore moved, seconded by Commissioner Flaig to approve Resolution 07-180, a resolution acknowledging receipt of State Clearinghouse for the Boone County Senior Center at the R.C. DURR YMCA Project and committing the Boone County Fiscal Court to follow all comments so received in the implementation of this project. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII A)

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 07-181, a Resolution of the Boone County Fiscal Court amending and approving the recommendations of the Mental Health/Mental Retardation/Aging Tax Board as it relates to funding for senior citizen transportation. 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 07-182 a Resolution of the County of the Boone County Fiscal Court, approving an inducement contract between the county and Continental Web Press of Kentucky, Inc., and/or its assigns, in which the county agrees to assist in financing the acquisition and installation of equipment for use in an existing industrial building on a tract of land located within the county, through the issuance by the county of its industrial building revenue bonds in the aggregate amount of approximately \$10,000,000 for opportunities in said county; and authorizing the beginning of acquisition and installation of such equipment prior to the issuance of the bonds, with Continental Web Press of Kentucky, Inc. paying for same and to be reimbursed out of the proceeds of the bonds for all costs advanced by it toward the cost of acquisition and installation.

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, August 21, 2007
5:30 P.M.

Judge Moore reminded the Court that the County was merely acting as a conduit for financing and would not be liable for any of the debt incurred. He then called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII C)

Commissioner Kenner moved, seconded by Commissioner Flaig to approve a Special Order Resolution 07-183 of the Boone County Fiscal Court, approving changing the width of Kroth Lane pursuant to resolution no. 07-76 and in accordance with KRS 178.040 (1). Judge Moore called for a vote on the Special Order, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII D)

ITEM IX.

NEW BUSINESS

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

ITEM X.

FISCAL MATTERS

Commissioner Moore moved, seconded by Commissioner Kenner, to approve an invoice report dated 08-21-07 and prepaid invoice reports dated 08-10-07 & 08-17-07. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

ITEM XI.

CLOSED SESSION

Commissioner Kenner moved, seconded by Commissioner Moore to move into closed executive session pursuant to KRS 61.810(1)(c). For purposes of discussing current litigation.

Commissioner Flaig moved, seconded by Commissioner Kenner to come out of closed executive session and move back into open session. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Once back from executive session, Jeff Earlywine reviewed a proposed release and settlement agreement between Valcom, Inc, and the claim pertaining to construction disputes at the jail and sheriffs department the staff recommended approval of the agreement

Commissioner Kenner moved, seconded by Commissioner Moore, to approve. (Exhibit A)

Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

ITEM XI.

ADJOURNMENT

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

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, August 21, 2007
5:30 P.M.

CLERK CERTIFICATION

I, Blair Schroeder, 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 August 21, 2007.



Blair Schroeder
Fiscal Court Clerk

Date: 9-4-07