

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, January 8, 2008, 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
Charles E. Kenner, Commissioner, District 2
Terri Moore, Commissioner, District 3
Robert Neace, County Attorney

Staff: Lisa Buerkley, County Treasurer
Tim Williams, Assistant County Administrator
Maj. Ben Huff, County Sheriff
Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive
Blair G. Schroeder, Fiscal Court Clerk
Robin D. Curry, Assistant County Administrator
Jeff Smith, Assistant County Attorney

Judge Moore noted that Commissioner Flaig would not be attending tonight's meeting.

ITEM II.

APPROVAL OF MINUTES

Commissioner Kenner moved, seconded by Commissioner Moore, to approve the Minutes from the meeting of December 18, 2007. Judge Moore called for a vote on the motion, MOTION PASSES (3-0).

ITEM III.

DELEGATIONS

There were no delegations present at tonight's meeting.

ITEM IV.

PERSONNEL MATTERS

Commissioner Moore moved, seconded by Commissioner Kenner, to approve Resolution 08-01 A Resolution of the Boone County Fiscal Court re-appointing the Department Heads to their positions for the calendar year 2008., ALL PRESENT VOTING AYE (3-0). (Exhibit IV A).

ITEM V.

ORDINANCES

Ordinance Creating and Establishing a Code Enforcement Board, previously tabled from December 18, 2007 meeting.

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT PURSUANT TO KRS 65.8801 TO KRS 65.8839 ESTABLISHING THE CODE ENFORCEMENT BOARD, IDENTIFYING MEMBERS, APPOINTMENTS, TERMS, QUALIFICATIONS, RULES AND REGULATIONS OF THE BOARD; ESTABLISHING FINES AND OR PENALTIES FOR VIOLATIONS; ESTABLISHING PROCEDURES AND PROCEEDINGS FOR ENFORCEMENT OF THE CODE; PROVIDING PROCEDURES FOR HEARINGS, NOTICE OF ORDERS, AND ADOPTING PROCEDURES FOR LIENS, FINES, CHARGES, AND FEES.

Judge Moore noted that this proposed Ordinance has received a great deal of examination from the Fiscal Court and its staff and that at this time he feels as though this item should be tabled until further notice. The Judge concluded that the system at this time is better than the code enforcement board as it follows rules of evidence and due process that a person obtains through the district court system.

Judge Moore then asked the other Commissioners if they had any comment.

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Commissioner Kenner stated that with where Boone County is right now he does not feel as though this is a pressing need, and that creation of a Code Enforcement Board might create more problems than it solves.

Commissioner Moore moved, seconded by Commissioner Kenner, to set this Ordinance aside and schedule it for further consideration. Judge Moore noted that if the proposal was to come back before the Court it would need first and second readings and be advertised. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0). (Exhibit VI A).

First Reading, Richwood North Zoning Map Amendment

First Reading and presentation by Mitch Light, AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT APPROVING, WITH CONDITIONS, FOR A REQUEST OF RICHWOOD NORTH, LLC (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 5.729 ACRE SITE GENERALLY LOCATED ALONG THE WEST SIDE OF DIXIE HIGHWAY AND ON BOTH SIDES OF THE INTERSECTION WITH FRANK DUKE BOULEVARD, AND DESCRIBED AS LOTS 126, 127, 128 and 129 OF RICHWOOD NORTH ESTATES SUBDIVISION, BOONE COUNTY, KENTUCKY.

After Mr. Light's presentation, the Judge then opened up the floor to the Court for questions.

Judge Moore noted that since this is a first reading this Ordinance would not have open discussion until its second reading which was scheduled for February 12th.

ITEM VI.

JUDGE'S REPORT

Commissioner Moore moved, seconded by Commissioner Kenner, to approve Resolution 08-02, A Resolution of the Boone County Fiscal Court approving the action of Gary W. Moore, County Judge-Executive, re-appointing Lee R. Duncan to the Urban Forest Commission Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0). (Exhibit VI A).

Commissioner Kenner moved, seconded by Commissioner Moore, to approve Resolution 08-03, A Resolution of the Boone County Fiscal Court approving the action of Gary W. Moore, County Judge-Executive, appointing Emily Shelton to the Mental Health, Mental Retardation, Senior Citizens Tax Advisory Board. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0). (Exhibit VI B).

Commissioner Kenner moved, seconded by Commissioner Moore to approve Resolution 08-04, A Resolution of the Boone County Fiscal Court approving the action of Gary W. Moore, County Judge-Executive, appointing Pat Wingo to the Boone County Historic Preservation Review Board. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0). (Exhibit VI C).

ITEM VII.

ADMINISTRATIVE MATTERS

Authorization to Submit an Application to the Governor's Office of Local Development for CDBG funds.

Commissioner Kenner moved, seconded by Commissioner Moore, to approve Resolution 08-05, A Resolution of the Boone County Fiscal Court approving the action of Gary W. Moore, County Judge-Executive, to submit to the Governor's Office for Local Development a Recovery Kentucky CDBG Funds Renewal Application for \$300,000 for the Recovery Kentucky Project in Boone County. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0). (Exhibit VII A).

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Approval of County Clerk's Budget, General Order and Annual Order for Calendar Year 2008

Judge Moore noted that this matter had several other issues to be reviewed and asked that it be tabled to the next meeting.

Commissioner Kenner moved, seconded by Commissioner Moore, to table item VII B, A Resolution of the Boone County Fiscal Court approving the County Clerk's Budget, General Term Order and Annual Order for setting the maximum amount for deputies and assistants of the County Clerk's department for the calendar year 2008. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0). (Exhibit VII A).

This item will be placed on the January 22nd agenda.

ITEM VIII.

OLD BUSINESS

There was no Old Business before the Court

ITEM IX.

NEW BUSINESS

There was no new business before the Court

ITEM X.

FISCAL MATTERS

Commissioner Moore moved, seconded by Commissioner Kenner, to approve an invoice report dated 1-08-08 & a prepaid invoice report dated 12-21-07, 12-28-07, and 1-04-08. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0). (Exhibit X A)

ITEM XI.

ADJOURNMENT

Commissioner Kenner moved, seconded by Commissioner Moore, to adjourn the meeting, ALL PRESENT VOTING AYE (3-0).

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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 December 18, 2007.


Blair Schroeder
Fiscal Court Clerk

Date: 1-23-08