

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, March 11, 2008
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 Flaig, Commissioner, District 1
Charles E. Kenner, Commissioner, District 2
Robert Neace, County Attorney

Staff: Lisa Buerkley, County Treasurer
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
Tim Williams, Assistant County Administrator
Greg Sketch, County Engineer

ITEM II.

APPROVAL OF MINUTES

Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Minutes from the meeting of February 26, 2008. Judge Moore called for a vote on the motion, MOTION PASSES (3-0).

At this time Judge Moore noted that Commissioner Moore would not be in attendance at tonight's meeting.

ITEM III.

DELEGATIONS

Proclamations for Severe Storms and Colorectal Cancer Awareness

Judge Moore recognized the Boone County Emergency Management staff for their hard work and preparations to keep prepared in the event of an emergency. Judge Moore then read a proclamation declaring March as Severe Storms Month.

Judge Moore recognized the American Cancer Society for their work in the community and read a proclamation declaring March as Colorectal Cancer Awareness Month.

Proclamations for Eco-Topic Essay Contest Winners

Mary Shinkle and Becky Halterman, from the Solid Waste Department, presented the winner's of the "Eco-Topic" Essay Contest.

Sign Committee Presentation

Assistant County Administrator Tim Williams briefed the Court regarding the County's new brand proposal. Mr. Williams noted to the court that this brand recommendation is the culmination of several months of hard work with local volunteers who specialized in brand managing, marketing, and design. Mr. Williams identified those volunteers present to present to the Court: Susan Fichner of Susan Fichner Graphic Design, Richard Miller of CDS and Associates, and Ellie Barker of R.L. Donnelly.

Mr. Williams noted that this new logo and sign design was developed keeping cost, practicality, and visual appeal in mind. Mr. Williams indicated that while this design would not be immediately applied to all

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County parks and facilities, but that it would be applied to those facilities that were in immediate need. Both Waller Stephenson Park and Central Park would be the first to benefit from the new design.

The members of the Court that were present praised the design and complimented the residents of the County that gave of their time and talents.

ITEM IV.

PUBLIC HEARING

Right of Way Abandonment – Doe Lane

Judge Moore then proceeded to open a public hearing for the right-of-way closing of a portion of Doe Lane. County Engineer Greg Sketch gave a brief presentation on the area in question. Judge Moore asked if anyone was present who wished to comment.

Seeing that there were none present who wished to comment Judge Moore then asked for the pleasure of the Court.

Commissioner Flaig moved, seconded by Commissioner Kenner, to approve Resolution 08-26, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING VACATION OF DOE LANE IN THE PEEL SUBDIVISION IN BOONE COUNTY, KENTUCKY AS RECOMMENDED BY THE VIEWING COMMITTEE. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0). (Exhibit IV A).

Right of Way Abandonment – Clover Hill Road

The next issue before the Court was to consider the right-of-way closing of a portion of Clover Hill Road. County Engineer Greg Sketch gave a brief presentation on the area in question. Judge Moore asked if anyone was present who wished to comment.

Seeing that there were none present who wished to comment Judge Moore then asked for the pleasure of the Court.

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 08-27, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING VACATION OF CLOVER HILL ROAD IN THE CHITWOOD SUBDIVISION IN BOONE COUNTY, KENTUCKY AS RECOMMENDED BY THE VIEWING COMMITTEE. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0). (Exhibit IV B).

Judge Moore closed the public hearing.

ITEM VI.

PERSONNEL MATTERS

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 08-28, 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 (3-0). (Exhibit VI A)

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 08-29, A Resolution of the Boone County Fiscal Court appointing Javier Laboy, Eric Thompson, and Michael Hon to the seasonal positions of Arboretum Intern in the Boone County Parks Department. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0). (Exhibit VI B)

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Commissioner Flaig moved, seconded by Commissioner Kenner, to approve Resolution 08-30, 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 (3-0). (Exhibit VI C)

ITEM V.

ORDINANCES

First Reading, Regarding the Duke Energy Bond

First reading, AN ORDINANCE OF THE FISCAL COURT OF BOONE COUNTY, KENTUCKY, RELATING TO AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$76,720,000 PRINCIPAL AMOUNT OF "COUNTY OF BOONE, KENTUCKY, POLLUTION CONTROL REVENUE REFUNDING BONDS, SERIES 2008A AND SERIES 2008B (DUKE ENERGY KENTUCKY, INC. PROJECT)"; AUTHORIZING THE LOAN OF THE PROCEEDS OF SAID BONDS TO DUKE ENERGY KENTUCKY, INC., A PUBLIC UTILITY AND CORPORATION DULY ORGANIZED AND VALIDLY EXISTING UNDER THE LAWS OF THE COMMONWEALTH OF KENTUCKY, FOR THE REDEMPTION, PAYMENT AND DISCHARGE OF CERTAIN OUTSTANDING BONDS OF THE COUNTY HERETOFORE ISSUED; AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT RELATING TO EACH SERIES OF BONDS EACH BETWEEN THE COUNTY OF BOONE, KENTUCKY, AND DUKE ENERGY KENTUCKY, INC.; AUTHORIZING THE EXECUTION AND DELIVERY OF A TRUST INDENTURE RELATING TO EACH SERIES OF BONDS SECURING SAID BONDS; CONFIRMING AND APPROVING THE SALE OF SAID BONDS TO THE PURCHASER THEREOF; AUTHORIZING THE EXECUTION OF A BOND PURCHASE AGREEMENT AND A LETTER OF REPRESENTATION RELATING TO THE BONDS; APPROVING ONE OR MORE PRELIMINARY OFFICIAL STATEMENTS AND/OR OFFICIAL STATEMENTS IN RESPECT OF SAID BONDS, AND TAKING OTHER RELATED ACTIONS.

County Administrator Jeff Earlywine explained to the Court that this was a refinancing of an earlier bond dated July 25, 2006 and approved by the Court by Ordinance 06-12.

Second reading for this ordinance was tentatively scheduled for the April 8, 2008 meeting.

Second Reading, Zoning Map Amendment for Greenview Drive

Second Reading, AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT APPROVING, WITH CONDITIONS, FOR A REQUEST OF JONATHAN WOCHER, AICP (APPLICANT) FOR BRUCE A KRONE, TRUSTEE OF THE PATRICK DECASTRO TRUST (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL ONE (SR-1) TO COMMERCIAL SERVICES (C-3), AND A VARIANCE TO REDUCE A REQUIRED BUFFER YARD WIDTH FOR A 0.188 ACRE SITE LOCATED AT 5961 GREENVIEW DRIVE, BOONE COUNTY, KENTUCKY.

Judge Moore asked if there were those present in the audience who wished to speak out in regards to this ordinance, seeing none the Judge then asked for the pleasure of the Court.

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Ordinance 08-04, AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT APPROVING, WITH CONDITIONS, FOR A REQUEST OF JONATHAN WOCHER, AICP (APPLICANT) FOR BRUCE A KRONE, TRUSTEE OF THE PATRICK DECASTRO TRUST (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL ONE (SR-1) TO COMMERCIAL SERVICES (C-3), AND A VARIANCE TO REDUCE A REQUIRED BUFFER YARD WIDTH FOR A 0.188 ACRE SITE LOCATED AT 5961 GREENVIEW DRIVE, BOONE COUNTY,

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KENTUCKY. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0). (Exhibit VI B)

ITEM VII.

JUDGE'S REPORT

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 08-31, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING ERIC RICHARDSON TO THE TELECOMMUNICATIONS BOARD OF NORTHERN KENTUCKY Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0). (Exhibit VII A).

Commissioner Flaig moved, seconded by Commissioner Kenner, to approve Resolution 08-32, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING MARY LOIS THINNES TO THE POINT PLEASANT FIRE PROTECTION DISTRICT BOARD Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0). (Exhibit VII B).

Commissioner Flaig moved, seconded by Commissioner Kenner, to approve Resolution 08-33, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING DAVID D. BROWN AND JESSE SHIPP TO THE AVIATION NOISE ABATEMENT COMMITTEE. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0). (Exhibit VII C).

ITEM VII.

ADMINISTRATIVE MATTERS

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 08-34, 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 HISTORIC BURLINGTON SIDEWALK PROJECT PHASE III. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0). (Exhibit VIII A).

Commissioner Flaig moved, seconded by Commissioner Kenner to approve Resolution 08-35, 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 (3-0). (Exhibit VIII B).

Commissioner Flaig moved, seconded by Commissioner Kenner, to approve Resolution 08-36, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT AWARDDING THE BID FOR AN EQUIPMENT TRAILER TO SOUTHEASTERN EQUIPMENT COMPANY. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0). (Exhibit VIII C)

ITEM IX.

OLD BUSINESS

There was no Old Business before the Court

ITEM X.

NEW BUSINESS

There was no new business before the Court

ITEM XI.

FISCAL MATTERS

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Commissioner Flaig moved, seconded by Commissioner Kenner, to approve an invoice reports dated 3-11-08 & a prepaid invoice report dated 2-29-08 and 3-7-08. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0). (Exhibit XI A)

ITEM XI.

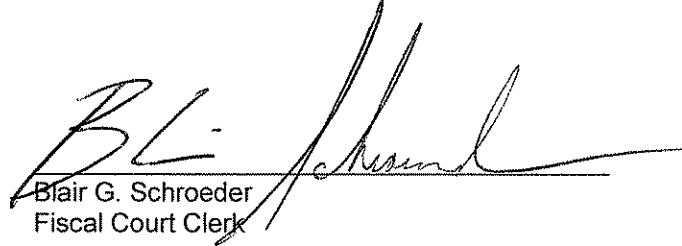
ADJOURNMENT

Commissioner Kenner moved, seconded by Commissioner Flaig, 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 March 11, 2008.


Blair G. Schroeder
Fiscal Court Clerk

Date: 3-26-08