

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, April 8, 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
Terri Moore, Commissioner, District 3
Robert Neace, County Attorney

Staff: Jeff Smith, Assistant County Attorney
Maj. Ben Huff, County Sheriff
Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive
Sheri Neau, Executive Assistant
Robin D. Curry, Assistant County Administrator
Tim Williams, Assistant County Administrator
Greg Sketch, County Engineer

ITEM II.

APPROVAL OF MINUTES

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Minutes from the meeting of March 25, 2008. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

ITEM III.

PUBLIC HEARING

Assisted Housing

Judge Moore called a public hearing open for the purpose of receiving comments regarding the Boone County Assisted Housing annual and Five Year Plan. After a brief presentation by Assisted Housing Director Carolyn Eilers and with no one present to present comments, Judge Moore closed the public hearing.

Commissioner Moore moved, seconded by Commissioner Flaig to approve Resolution 08-45, a Resolution of the Boone County Fiscal Court authorizing Gary W. Moore, County Judge/Executive, to sign and execute any and all documents related to, and to approve the annual update to the Assisted Housing Five Year Plan. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit III B)

ITEM III.

DELEGATIONS

Proclamations

Judge/Executive Moore issued a proclamation declaring April 6-12th as Local County Government Week.

Judge/Executive Moore issued a proclamation declaring April 6-12th as National Telecommunicators Week.

Gunpowder Creek Residents

At this time residents from Gunpowder Creek, led by Bob Cicero, gave a brief presentation to the Fiscal Court regarding their concern over a potential trail system planned for the County.

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Judge Moore told the residents that he appreciated their concern and that their issues would be taken under advisement at the appropriate time. Judge Moore did note that at this time the Fiscal Court is not deliberating on this issue. He noted that at this time the greenways plan is being addressed by the Planning Commission. He further stated that according to statute the Court cannot act until they have viewed a recommendation by the Planning Commission.

Judge Moore did stress to those present and those viewing at home that the County as well as the Planning Commission does want feedback regarding the greenways plan. Judge further stated that this plan is one that belongs to the residents of the County and therefore community feedback is essential.

ITEM IV.

PERSONNEL MATTERS

Commissioner Kenner moved, seconded by Commissioner Moore, to approve Resolution 08-46, a resolution of the Boone County Fiscal Court appointing Daniel Flannery and Andrew Riedel to the Seasonal Position of Arboretum Intern in the Boone County Parks Department. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit IV A)

Commissioner Kenner moved, seconded by Commissioner Moore, to approve Resolution 08-47, A resolution of the Boone County Fiscal Court approving the hiring of Bill Green to a Seasonal Laborer position In The Parks Department. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI B).

ITEM V.

ORDINANCES

Duke Energy Bond

Commissioner Flaig moved, seconded by Commissioner Kenner, to approve Ordinance 08-05, 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.. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit V A).

Enterprise Rent-A-Car

First Reading and presentation by Mitch Light, AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT APPROVING, WITH CONDITIONS, FOR A REQUEST OF ENTERPRISE RENT-A-CAR, KELLY SIMON (APPLICANT) FOR JEFF SIMMONS (OWNER) FOR A CHANGE IN THE CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO PLANNED DEVELOPMENT (C-2/PD) ZONE FOR A 0.773 ACRE SITE GENERALLY LOCATED ALONG THE WEST SIDE OF MERCHANTS STREET BETWEEN 5985 AND 5969 MERCHANTS STREET, BOONE COUNTY, KENTUCKY.

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A second reading was scheduled for May 6, 2008.

ITEM VI.

JUDGE'S REPORT

The Judge had no items to report to the Court at tonight's meeting.

ITEM VII.

ADMINISTRATIVE MATTERS

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 08-48, A resolution of the Boone County Fiscal Court acknowledging the annual audit of the Assisted Housing Department. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII A)

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 08-49, A resolution of the Boone County Fiscal Court declaring certain property as surplus property. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII B)

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 08-50, A resolution of the Boone County Fiscal Court amending Resolution 08-21 appointing Mike Giordano to the Boone County Water Commission Board of Trustees is hereby amended to reflect that said term of office is to expire on December 31, 2011. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII C)

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 08-52, A resolution of the Boone County Fiscal Court Awarding the bid for the Longbranch Road Widening Project to Len Riegler Blacktop, Inc. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII D)

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 Kenner moved, seconded by Commissioner Moore, to approve an invoice report dated 4-08-08 & a prepaid invoice report dated 3-08-08. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit X A)

Commissioner Moore moved, seconded by Commissioner Kenner, to approve Fiscal Court Order #5, A Fiscal Court order of the Boone County Fiscal Court authorizing transfers in the amount of \$90,000 within the adopted Fiscal Year 2007-2008 Budget. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit XB)

ITEM XI.

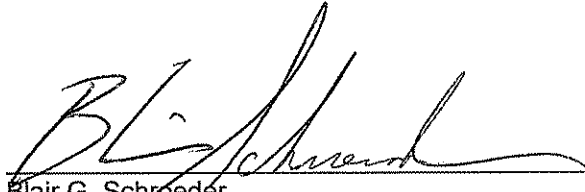
ADJOURNMENT

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

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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 April 8, 2008.



Blair G. Schroeder
Fiscal Court Clerk

Date: 4-23-08