

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, May 6, 2008
5:30 P.M.

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

Conner's Crossing

First Reading and Presentation by Todd Morgan regarding, AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT RECOMMENDING DENIAL FOR A REQUEST OF ANNE F. MCBRIDE, MCBRIDE DALE CLARION (APPLICANT) FOR TERRA FIRMA CONNER CROSSING LLC (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO PLANNED DEVELOPMENT (C-2/PD) ZONE FOR A 5.812 ACRE SITE GENERALLY LOCATED ON THE SOUTHWEST CORNER OF THE KY 20 / KY 237 INTERSECTION, BOONE COUNTY, KENTUCKY.

Second reading for this ordinance was tentatively scheduled for the June 3, 2008 meeting.

Maintenance of Above-Ground Swimming Pools

First Reading, AN ORDINANCE AMENDING SECTION 150 OF THE BOONE COUNTY CODE OF ORDINANCES TO ELIMINATE ANY AND ALL REGULATIONS PERTAINING TO THE CONSTRUCTION AND MAINTENANCE OF ABOVE-GROUND SWIMMING POOLS IN ACCORDANCE WITH THE KENTUCKY BUILDING CODE, SAID SECTIONS HAVING BEEN ENACTED BY ORDINANCE 720.1 ON MAY 29, 1979, ORDINANCE 930.8A, ON MARCH 23, 1993, AND ORDINANCE 930.9 PASSED ON MARCH 23, 1993.

County Administrator Jeff Earlywine explained to the Court that this was a measure to simply clarifying portions of the existing ordinance and ensure uniformity with the Kentucky Building Code.

Second reading for this ordinance was tentatively scheduled for the June 3, 2008 meeting.

Amending ABC Ordinance

First Reading, AN ORDINANCE AMENDING SECTION 112.14 OF THE BOONE COUNTY CODE OF ORDINANCES RELATING TO MALT BEVERAGES, RETAIL LICENSE AND DISTILLED SPIRITS, AND WINE BOTH RETAIL PACKAGE AND DRINK LICENSE, SAID SECTION HAVING BEEN PREVIOUSLY ADOPTED BY ORDINANCE 410.7 ON MARCH 21, 1995 AND AMENDED BY ORDINANCE 05-03 ON APRIL 19, 2005.

Mr. Earlywine noted that this amendment was a language clean-up to the existing ordinance.

Second reading for this ordinance was tentatively scheduled for the June 3, 2008 meeting.

Amending Occupational License Ordinance

First Reading, AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT AMENDING CHAPTER 110 OF THE BOONE COUNTY CODE OF ORDINANCES RELATING TO OCCUPATIONAL LICENSES, SAID CHAPTER HAVING BEEN PREVIOUSLY ADOPTED BY ORDINANCE 430.1 ON MAY 2, 1978 AND AMENDED BY ORDINANCES 430.1A (12-8-1992), 430.3 (10-21-1980), 430.4 (3-11-1986), 430.4A (2-20-1990), 430.5 (5-6-1986), 430.7 (4-21-1987), 2000-09 (5-16-2000), 03-08 (2-18-2003) AND 07-27 (12-18-07).

Second reading for this ordinance was tentatively scheduled for the June 3, 2008 meeting.

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Amending Animal Control Ordinance

First Reading, AN ORDINANCE AMENDING A PORTION OF CHAPTER 91 OF THE BOONE COUNTY CODE OF ORDINANCES RELATING TO FINES AND PENALTIES FOR ANIMAL CONTROL, SAID CODE HAVING BEEN PREVIOUSLY ADOPTED AS ORDINANCE 07-96-02 ON JULY 30, 1996 AND AMENDED BY 03-13 ON MAY 20, 2003.

Second reading for this ordinance was tentatively scheduled for the June 3, 2008 meeting.

Amending PSCC Alarm Regulations

First Reading, AN ORDINANCE AMENDING SECTION 90 OF THE BOONE COUNTY CODE OF ORDINANCES TO ELIMINATE REGULATIONS PERTAINING TO THE CONNECTION OF ALARMS TO THE PUBLIC SAFETY COMMUNICATIONS CENTER CENTRAL MONITORING PANEL, SAID SECTION HAVING BEEN PREVIOUSLY ENACTED BY ORDINANCE 110.1 ON FEBRUARY 28, 1995.

Second reading for this ordinance was tentatively scheduled for the June 3, 2008 meeting.

ITEM VI.

JUDGE'S REPORT

Commissioner Kenner moved, seconded by Commissioner Moore, to approve Resolution 08-64, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING WILLARD RUSK, JIM TITUS, EUGENE WEBER, AND RICK WILSON TO THE BOONE COUNTY BUILDING INSPECTOR APPEALS BOARD. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI A)

ITEM VII.

ADMINISTRATIVE MATTERS

KHC Grant

Human Services Director Kirk Kavanaugh gave a presentation regarding the \$138,600 grant from the Kentucky Housing Corporation and how the funds from this grant will be applied toward the Boone County Senior Home Repair Program.

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 08-65, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT AUTHORIZING THE COUNTY JUDGE/EXECUTIVE TO EXECUTE ALL NECESSARY DOCUMENTS AND AGREEMENTS AND ACCEPT FROM THE KENTUCKY HOUSING CORPORATION, AFFORDABLE HOUSING TRUST FUND, IN THE AMOUNT OF \$138,600 FOR THE PURPOSE OF IDENTIFYING AND RENOVATING ELIGIBLE SENIOR RESIDENCES IN NEED OF HOME REPAIRS WITHIN BOONE COUNTY. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII A)

Hebron Business and Pedestrian Connection

Commissioner Flaig moved, seconded by Commissioner Kenner, to approve Resolution 08-66, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT AUTHORIZING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO EXECUTE AN AGREEMENT BETWEEN THE COUNTY AND THE KENTUCKY TRANSPORTATION CABINET FOR THE HEBRON BUSINESS AND PEDESTRIAN CONNECTION. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII B)

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CMAQ Grant for Conrad Turn Lanes

Commissioner Flaig moved, seconded by Commissioner Moore, to approve Resolution 08-67, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT AUTHORIZING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO APPROVE A CONGESTION MITIGATION AND AIR QUALITY (CMAQ) IMPROVEMENT GRANT FOR CONRAD TURN LANES. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII C)

ITEM VIII.

OLD BUSINESS

County Administrator Jeff Earlywine briefed the Court about the current status of the Ryle Road project. Mr. Earlywine noted that the contractors have had a delay in the arrival of steel, and thus the time-line on this project has been delayed several weeks; however, the contractor still anticipates once the project starts it should take roughly four weeks to complete.

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 4-22-08 & a prepaid invoice report dated 4-11-08 and 4-18-08. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit X A)

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ANNUAL STANDING ORDER TO PREAPPROVE CERTAIN RECURRING EXPENSES. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit XB)

ITEM XI.

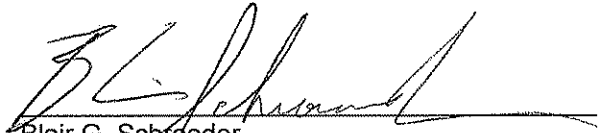
ADJOURNMENT

Commissioner Moore moved, seconded by Commissioner Kenner, 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 May 6, 2008.


Blair G. Schroeder
Fiscal Court Clerk

Date: 5-21-08