

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**Tuesday, May 20, 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: Lisa Buerkley, County Treasurer  
Jeff Smith, Assistant County Attorney  
Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive  
Blair G. Schroeder, Fiscal Court Clerk  
Robin D. Curry, Assistant County Administrator  
Greg Sketch, County Engineer

**ITEM II.**

**APPROVAL OF MINUTES**

Commissioner Moore moved, seconded by Commissioner Flaig, to approve the Minutes from the meeting of May 6, 2008. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

**ITEM X.**

**NEW BUSINESS**

Judge Moore explained that with today being an election day he did not want to start the public hearing regarding the budget while the polls were still open. So in an effort to allow additional residents to attend the Court's proceedings he took a point of privilege to move item XA regarding the Big Bone Boat Dock up as the next item of business.

At this time Judge Moore called on County Administrator Jeff Earlywine to brief those present regarding the New Business before the Court regarding the status of the County owned property known as Big Bone Landing.

Mr. Earlywine noted that the lease agreement regarding this property was set to expire, due to a failure between the County and the tenant to reach a suitable contract agreement.

Mr. Earlywine recommended that in an effort to have this marina up and operating with the start of boating season it was important that the County reach an agreement with a tenant. Mr. Earlywine acknowledged that R.J. Marine has come forward as a viable tenant. Bob Lightner, Boone County businessman and owner of R.J. Marine, has reached an agreement in principle with the County regarding this property. Among the details regarding this agreement this lease will be for the remainder of this calendar year, before the process will be open to the County's public bidding process. Mr. Earlywine noted that this is a much needed emergency operating agreement and recommended that this be approved.

Mr. Lightner addressed the Court, noting that he was excited about this opportunity and that he looked forward to working with the County on this endeavor.

Commissioner Flaig raised several questions regarding the operating practices that R.J. Marine will have in place, such as hours of operation, if there will be a full time attendant present, and if the concession stand would be in operation, and what the status was on all current assets located at the property.

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Mr. Lightner and Mr. Earlywine addressed each of Commissioner Flaig's questions and regarding the operating procedures and details of the new lease agreement.

Commissioner Kenner wanted to know how the insurance on the property would be handled and if the County would be liable if a problem presented itself.

Mr. Earlywine assured Com. Kenner that the interim agreement calls for adequate coverage.

Commissioner Moore asked Mr. Lightner how soon R.J. Marine would be operational at the Big Bone location.

Mr. Lightner assured the members of the Court that he would have the marina open and functional as soon as possible, noting that he did not want there to be a lapse in access to potential users of the facility.

At this time Judge Moore asked if there were any present in the audience who wished to speak concerning the matter. Seeing none Judge Moore called for a motion.

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 08-84, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT AUTHORIZING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO SUSPEND OF ANY FORMAL REQUEST FOR PROPOSALS, AND APPROVE AN INTERIM OPERATING LEASE WITH RJ MARINE FOR THE COUNTY OWNED BIG BONE BOAT DOCK. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit III B).

**ITEM III.**

**PUBLIC HEARING**

Judge Moore declared a public hearing open for purposes of discussing the proposed Fiscal Year 2008-2009 Budget and County Road Aid proposal. During the hearing County Treasurer Lisa Buerkley gave a presentation laying out the revenues and expenses for the budget and illustrating how they relate to the previous years as well as forecasting the budget status for future years.

Following the presentation Judge Moore recognized Marty McDonald from the Dinsmore Homestead to speak on behalf of the Homestead's Board. Ms. McDonald wanted to first thank the Fiscal Court and the County for all of their support and hard work throughout the years, and also noted that despite the County's budgetary constraints she is grateful that Dinsmore is still included in the budget. Ms. McDonald did take this time to state that with the County's 25 percent reduction in funding that the Dinsmore will have to make cuts in three different areas: staffing, hours of operation, and maintenance. Ms. McDonald closed noting that the Homestead's Board is grateful for the work that the County provides and hopes that more dollars will be allocated to them in future budgets.

Judge Moore told Ms. McDonald that he appreciated her remarks and that he believes the Dinsmore Homestead is a prize that Boone County will protect.

At this time Judge Moore recognized members from the Conservation District who wished to speak in regards to the budget.

Jim Walton, member of the Conservation District, noted to the Court that he was surprised by the 25 % reduction in funding. He noted that the District would explore other avenues of funding from the state and various grant opportunities. Mr. Walton also noted that this reduction would certainly have an impact on the district.

Judge Moore asked Mr. Walton how Boone County's contribution compared with the other Northern Kentucky counties contribution? Mr. Walton noted that Campbell County contributes roughly \$112,000

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annually, but that those funds are generated from a specific tax, Kenton County contributes roughly \$60,000 annually, and with this reduction Boone would be set to contribute \$60,000.

At this time Mary Kathryn Dickerson spoke on behalf of the Conservation District noting that their board had requested Boone County to contribute \$81,000 for this year's budget, so this reduction is a great deal less than what was expected. Ms. Dickerson noted that the Conservation District offers a great deal of programs and services to Boone County residents and has successfully secured approximately \$774,000 in Federal dollars for use in Boone County.

Gayle Pille, resident who lives on Freely Road, spoke as an advocate for the district citing her experiences in serving on the Kenton County Conservation District's Board. She noted that the County's proposed cuts would cripple the agency and drastically hurt services. Mr. Pille also stated that the Dinsmore Homestead should not see a reduction in funding either.

Boone County residents Woodrow Schuster, Allen Hale, and Bruce Gaskins all echoed the views of the Conservation District's representatives that were concerned about the funding cuts to funding. They stated that the service the district provides is a valuable and also benefits the county by generating more \$774,000.

Judge Moore thanked those that were present from the Conservation District and noted that all of the special districts and agencies are seeing the same reduction in funding due to the County's budgetary constraints and that this was in no way should be interpreted as a sign from the County that their services are not valued and appreciated.

At this time Judge Moore asked the Commissioner's if they had any comment.

Commissioner Flaig encouraged the County Administration to revisit the use of take home vehicles in light of recent gas prices. Judge Moore agreed that it would be a good idea to re-examine the cost benefit of county cars and called for a motion.

Commissioner Flaig moved, seconded by Commissioner Kenner, to approve a re-evaluation of all County take home vehicles. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Flaig also raised questions concerning the County's debt limit as well as if the County would be able to divest itself of any property.

County Administrator Jeff Earlywine remarked that the County is currently far from the debt limit. Mr. Earlywine also noted that at this time the County was not in a position to divest itself of any property, and that the current budget forecast did account for dollars that would be "freed up" from properties in which the County's debt would expire.

Following this discussion Judge Moore asked if there were any additional comments regarding any aspect of the budget, including road aid, from the public or commissioners, seeing that there were none who wished to comment he declared the public hearing closed and noted that the second reading regarding the budget would take place in June.

**ITEM IV.**

**DELEGATIONS**

**Proclamations**

Judge Moore took this time to issue a proclamation to the Public Works Department in recognition of National Public Works Week.

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**ITEM V.**

**PERSONNEL MATTERS**

Commissioner Kenner moved, seconded by Commissioner Moore, to approve Resolution 08-69, A Resolution of the Boone County Fiscal Court authorizing various Seasonal Appointments at the Union Pools and in the Boone County Parks Department. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit V A)

Commissioner Flaig moved, seconded by Commissioner Kenner, to approve Resolution 08-70, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPOINTING VARIOUS SEASONAL EMPLOYEES TO THE POSITION OF LABORER I IN THE PUBLIC WORKS DEPARTMENT. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit V B)

At this time Kirk Kavanaugh Human Services Director made several remarks to the Court regarding the reorganization within the Human Services Department. Mr. Kavanaugh also recommended to the Court that it approve the promotion of Ruth Ann Wilson as the Director of the Assisted Housing Department and approve the promotion of Monica Braunwart within the Human Services Department.

Commissioner Flaig moved, seconded by Commissioner Kenner, to approve Resolution 08-71, A Resolution of the Boone County Fiscal Court appointing Ruth Ann Wilson as the Director of the Boone County Assisted Housing Department. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit V C)

Commissioner Kenner moved, seconded by Commissioner Moore, to approve Resolution 08-72, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE PROMOTION OF MONICA BRAUNWART DUE TO EXPANDED DUTIES AND INCREASED RESPONSIBILITIES, AS WELL AS CHANGE IN JOB DESCRIPTION, AS A PART OF THE DEPARTMENT OF HUMAN SERVICES REORGANIZATION. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit V D)

**ITEM VI.**

**ORDINANCES**

There were no ordinances before the Court at tonight's meeting.

**ITEM VII.**

**JUDGE'S REPORT**

Commissioner Moore moved, seconded by Commissioner Flaig, to approve Resolution 08-73, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING ROBERT GREENE AND BARBARA BARDES TO THE BOONE CONSERVANCY BOARD. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII A)

Commissioner Moore moved, seconded by Commissioner Flaig, to approve Resolution 08-73, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING JAMES LAGEMAN TO THE FLORENCE FIRE PROTECTION DISTRICT BOARD. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII B)

Commissioner Moore moved, seconded by Commissioner Flaig, to approve Resolution 08-73, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING MARTY HERBERT TO THE NORTHERN KENTUCKY AREA DEVELOPMENT DISTRICT COUNCIL ON AGING. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII C)

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Commissioner Moore moved, seconded by Commissioner Flaig, to approve Resolution 08-73, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING DEBORAH L. NEWMAN TO THE POINT PLEASANT FIRE PROTECTION DISTRICT BOARD. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII D)

Commissioner Moore moved, seconded by Commissioner Flaig, to approve Resolution 08-73, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING MARTY HERBERT TO THE NORTHERN KENTUCKY AREA DEVELOPMENT DISTRICT COUNCIL ON AGING. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII E)

Commissioner Moore moved, seconded by Commissioner Flaig, to approve Resolution 08-73, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING DR. KURT FROMME, CAROLYN LALLEY, AND LESLEY DEMARCUS TO THE BOONE COUNTY ANIMAL SHELTER ADVISORY BOARD. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII F)

Commissioner Moore moved, seconded by Commissioner Flaig, to approve Resolution 08-73, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING DAN ROSZKOWSKI TO THE HEBRON FIRE PROTECTION DISTRICT BOARD. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII G)

Judge Moore noted to those present that the following recommendation was for the Boone County Library Board. The Judge explained the process for these appointments is that he must make his selections to this board based off of a list of names that is provided to him by the State board. Judge Moore noted that he has interviewed the candidates whom he is recommending and that he had had discussions with them regarding taxation as well as other issues relevant to the board, and that he feels comfortable submitting these names for approval.

Commissioner Moore moved, seconded by Commissioner Flaig, to approve Resolution 08-73, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING JAMES HENNING AND PAM GOETTING TO THE BOONE COUNTY LIBRARY BOARD OF TRUSTEES. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII H)

**ITEM VII.**

**ADMINISTRATIVE MATTERS**

**Request to Vacate Right-Of -Way on Vesper Lane**

Commissioner Kenner moved, seconded by Commissioner Moore, to approve Resolution 08-74, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT OF A VIEWING COMMITTEE REGARDING THE REQUEST TO VACATE THE RIGHT- OF-WAY ON VESPER LANE. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII A)

County Engineer Greg Sketch noted that this Lane is located in District One and that he would be in contact with Commissioner Flaig regarding her selection to the viewing committee.

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**Annual Bids for the Public Works Department**

County Engineer Greg Sketch noted that there were a total of 17 bids before the Court for approval. He noted that in each Court members packet there was an itemized list along recommendation memo and bid tabulation sheets for each item.

Sketch also noted that every item did receive multiple bids with the exception of three items in which the prices seemed in line with past years bids.

Commissioner Flaig questioned the bid regarding guard rails. She wanted to know how it related to past bids.

Mr. Sketch told her that he believed that this year's bid was the same as last year's bid, but that he could not be certain without checking.

Commissioner Flaig stated that she would like to know before voting yes to approve these bids.

Judge Moore asked for the pleasure of the Court.

Commissioner Kenner moved, seconded by Commissioner Moore, to approve Resolution 08-75, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT AWARDING THE ANNUAL BIDS FOR THE PUBLIC WORKS DEPARTMENT. Judge Moore called for a vote on the motion, MOTION PASSED BY A VOTE OF (3-1). (Exhibit VIII B)

Commissioner Flaig voted no on this resolution. She stated that it was not that she was not in support of the bids she just wanted to know information about the guardrail bid.

**KYOPS Project**

Commissioner Flaig moved, seconded by Commissioner Kenner, to approve Resolution 08-76, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT AWARDING THE BID FOR THE KYOPS PROJECT TO SCAN TECHNOLOGY INC. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VIII C)

**ITEM IX.**

**OLD BUSINESS**

There was no old business before the Court at tonight's meeting

**ITEM X.**

**FISCAL MATTERS**

Commissioner Kenner moved, seconded by Commissioner Moore, to approve an invoice report dated 5-20-08 & a prepaid invoice report dated 5-7-08. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit XI A)

Commissioner Kenner moved, seconded by Commissioner Moore, to approve the monthly financial report for April 2008. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit XI B)

Commissioner Flaig moved, seconded by Commissioner Moore, to approve Fiscal Court Order # 7, A Fiscal Court Order of the Boone County Fiscal Court authorizing transfers in the amount of \$98,415 within the adopted Fiscal Year 2007-2008 Budget. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit XI C)

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**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 20, 2008.

  
\_\_\_\_\_  
Blair G. Schroeder  
Fiscal Court Clerk

Date: June 4, 2008