

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, June 3, 2008
5:30 P.M.

At this time Commissioner Moore noted that she valued all of the agencies and districts that the County funded, but at this time based upon hearing the concerns from representatives from the Dinsmore and Conservation District, she recommends reducing these two agencies funding 25% over three years, as oppose to an immediate 25% reduction like the budget is proposing for all other agencies.

County Administrator Jeff Earlywine noted that this 8.3% annual reduction to the Dinsmore and Soil Conservation Districts would amount to an immediate \$21,500 adjustment to the current budget.

Judge Moore said that this seemed like a reasonable request and that the Court would need to move to approve the budget, then move to add an amendment to the budget, and once this process was complete that there was no other discussion he would call for a final vote.

Commissioner Kenner moved, seconded by Commissioner Moore to approve Ordinance 08-07, an Ordinance relating the Annual Budget and Appropriations for Fiscal Year 2008-2009.

At this time Commissioner Moore moved, seconded by Commissioner Kenner to add an amendment to the 2008-2009 Budget calling for a 8.3% reduction in funding for the Dinsmore Homestead and Soil Conservation District. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

Judge Moore now opened the floor to the public once again regarding the budget.

Commissioner Flaig asked if this budget assumed a 4% cost of living increase.

Mr. Earlywine noted that this budget along with its analysis did forecast the levy of of the 4% real estate growth tax rate, but the exact rate was not before the court, and stressed to those that this matter would require separate action by the Court at a later date.

Commissioner Moore moved, seconded by Commissioner Kenner to approve the Ordinance. Judge Moore called for a vote on the motion, MOTION PASSES (3-1) (Exhibit V A).

Commissioner Flaig voted NAY.

Conner's Crossing

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.

Judge Moore noted that this zone change request had been voted down by the planning commission and that an AYE vote would be accepting the Commission's recommendation of denial and that this would then be treated as a Resolution by the Fiscal Court.

Judge Moore opened the floor for public discussion, seeing that there were present who wished to speak on this issue, he then asked for the pleasure of the Court.

Commissioner Moore moved, seconded by Commissioner Kenner, to approve Resolution 08-88, a Resolution of the Boone County Fiscal Court, accepting the Planning Commission's recommendation of 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

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the KY 20 / KY 237 intersection, Boone County, Kentucky. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI B).

County Administrator Jeff Earlywine noted that the following ordinances (items V C-V G) were aimed at amending inconsistencies with state regulations and language clean-ups to previously adopted ordinances. He further stated that none of these ordinances would change the implementation or interpretation of said ordinances, but that these changes were merely administrative in nature.

Amending ABC Ordinance

Commissioner Flaig moved, seconded by Commissioner Moore, 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. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit V C).

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

Amending Occupational License Ordinance

Commissioner Kenner moved, seconded by Commissioner Moore, 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). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit V D).

Amending Animal Control Ordinance

Commissioner Moore moved, seconded by Commissioner Flaig, to approve Ordinance 08-10, 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. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit V E).

Amending PSCC Alarm Regulations

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Ordinance 08-11, 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. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit V F).

Maintenance of Above-Ground Swimming Pools

Commissioner Moore moved, seconded by Commissioner Flaig, to approve Ordinance 08-12, AN ORDINANCE AMENDING SECTION 150 OF THE BOONE COUNTY CODE OF ORDINANCES TO ELIMINATE ANY AND ALL REGULATIONS PERTAINING TO THE CONSTRUCTION AND

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

ITEM VII.

JUDGE'S REPORT

There were no items in the Judge's Report at this meeting

ITEM VII.

ADMINISTRATIVE MATTERS

There were no Administrative Matters before the Court at this meeting

ITEM IX.

OLD BUSINESS

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

ITEM X.

NEW BUSINESS

Judge Moore made several remarks regarding the potential for a special session in Frankfort that would be called in hopes of reaching some sort of agreement regarding the state pension issue.

Mr. Earlywine noted while at this time there was no specifics to be announced, but that the County would strongly favor pension reform because of the potential for savings to the County. Mr. Earlywine noted that the County has been very active in discussing with state representatives and state officials the need for pension reform.

ITEM X.

FISCAL MATTERS

Commissioner Kenner moved, seconded by Commissioner Moore, to approve an invoice report dated 6-3-08 & a prepaid invoice report dated 5-28-08. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit X A)

Commissioner Moore moved, seconded by Commissioner Flaig, to approve Fiscal Court Order # 8, A Fiscal Court Order of the Boone County Fiscal Court authorizing transfers in the amount of \$9,000 within the adopted Fiscal Year 2007-2008 Budget. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit X C)

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 June 3, 2008.


Blair G. Schroeder
Fiscal Court Clerk

Date: 6-25-08