

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
Tuesday, June 24, 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
Sgt. Mike Hall, County Sheriff
Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive
Blair G. Schroeder, Fiscal Court Clerk
Tim Williams, Assistant County Administrator
Robin D. Curry, Assistant County Administrator

ITEM II.

APPROVAL OF MINUTES

Commissioner Flaig moved, seconded by Commissioner Moore, to approve the Minutes from the meeting of June 3, 2008. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

ITEM III.

DELEGATIONS

There were no delegations present at tonight's meeting.

ITEM IV.

PERSONNEL MATTERS

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 08-85, 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 (4-0). (Exhibit IV A)

Commissioner Moore moved, seconded by Commissioner Flaig, to approve Resolution 08-86, A Resolution of the Boone County Fiscal Court appointing Phillip Mason as a seasonal employee in the Public Works Department. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit IV B)

Commissioner Kenner moved, seconded by Commissioner Moore, to approve Resolution 08-87, 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 (4-0). (Exhibit IV C)

ITEM V.

ORDINANCES

First Reading, Ordinance Regarding a Jake Sweeney Automotive.

Presentation by Mitch Light and First Reading, AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT APPROVING DENIAL FOR THE REQUEST OF TED RICHARDSON AND PHIL SOUSA (APPLICANTS) FOR JAKE SWEENEY AUTOMOTIVE FLORENCE (OWNER) FOR A ZONING MAP AMENDMENT FOR A SPECIAL SIGN DISTRICT AT 5969 CENTENNIAL CIRCLE, BOONE COUNTY, KENTUCKY. (Exhibit V A)

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Mr. Light made several remarks before the Court regarding this zone change requesting an amendment for a special sign for the property in question. Citing that the change in signage was not conducive nor did it appear necessary to the property in question. Mr. Light noted that this request was voted down by the Planning Commission and that it was their recommendation to the Court that they deny this request as well.

Second Reading was scheduled for July 22th.

First Reading, Ordinance Regarding a Jake Sweeney Automotive.

Presentation by Kevin Wall and First Reading, AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT APPROVING, WITH CONDITIONS, FOR A REQUEST OF PAUL HEMMER DEV. III, MIKE HARGIS (APPLICANT) FOR PAUL HEMMER DEV. III (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM INDUSTRIAL ONE (I-1) TO COMMERCIAL TWO (C-2) FOR A 7.979 ACRE SITE GENERALLY LOCATED ON THE WEST SIDE OF KY 237 (NORTH BEND ROAD), THE EAST SIDE OF HARGRAVE DRIVE AND ON THE NORTHEAST CORNER OF THE WRIGHT BOULEVARD/HARGRAVE DRIVE INTERSECTION, AND TO THE SOUTH OF 3505 NORTH BEND ROAD, BOONE COUNTY, KENTUCKY. (IV B)

Judge Moore reminded those present of the protocol for a first reading, noting that at this time questions would be directed toward Mr. Wall and that all public discussion would take place at the second reading.

County Administrator Jeff Earlywine asked Mr. Wall several questions regarding the designation of retail use for this property given the surrounding businesses and organizations.

Judge Moore noted that the County should keep in mind the aesthetics of the facility while being cognizant of the businesses location and retail nature.

The second reading for this Ordinance was tentatively scheduled for July 22nd.

ITEM VI.

JUDGE'S REPORT

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 08-88, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING DANIEL BINA TO THE UNION AMBULANCE PROTECTION DISTRICT BOARD. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI A).

Commissioner Flaig moved, seconded by Commissioner Moore, to approve Resolution 08-89, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING JIM COATES TO THE UNION FIRE PROTECTION DISTRICT BOARD. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI B).

Commissioner Flaig moved, seconded by Commissioner Moore, to approve Resolution 08-90, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING RONNIE MOORE TO THE VERONA FIRE PROTECTION DISTRICT BOARD. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI C).

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 08-91, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING ANTHONY J. BECKER TO THE WALTON

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FIRE PROTECTION DISTRICT BOARD. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI D).

Commissioner Flaig moved, seconded by Commissioner Kenner, to approve Resolution 08-92, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING ARLENE MOFFITT TO THE PETERSBURG FIRE PROTECTION DISTRICT BOARD. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI E).

Commissioner moved, seconded by Commissioner Flaig, to approve Resolution 08-93, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE-EXECUTIVE, APPOINTING BOB PARSONS TO THE BURLINGTON FIRE PROTECTION DISTRICT BOARD. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI F).

Commissioner Kenner moved, seconded by Commissioner Moore, to approve Resolution 08-94, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING JAN MCNEELEY TO THE BELLEVIEW FIRE PROTECTION DISTRICT BOARD. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (3-0). (Exhibit VI G)

Commissioner Flaig abstained noting that she had not had time to adequately examine appointment.

Commissioner Flaig moved, seconded by Commissioner Kenner, to approve Resolution 08-95, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING JOHN M. PARKER TO THE BOONE COUNTY BOARD OF ASSESSMENT APPEALS. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI H).

Commissioner Moore moved, seconded by Commissioner Flaig, to approve Resolution 08-96, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING MIKE FORD TO THE BOONE COUNTY PLANNING & ZONING COMMISSION. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI I).

ITEM VII.

ADMINISTRATIVE MATTERS

Commissioner Kenner moved, seconded by Commissioner Flaig to approve Resolution 08-97, a Resolution of the Boone County Fiscal Court acknowledging receipt and filing of the Fiscal Year 2007-2008 Special District Budgets. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII A)

Human Services Director Kirk Kavanaugh gave a presentation on the Mental Health/Mental Retardation/Aging Tax Board recommendations. Following Mr. Kavanaugh's presentation Commissioner Kenner moved, seconded by Commissioner Flaig to approve Resolution 08-98, a Resolution of the Boone County Fiscal Court approving the recommendations of the Mental Health/Mental Retardation/Aging Tax 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 08-99, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT ADOPTING THE PERSONNEL POLICIES, POLICIES AND PROCEDURES, AND INMATE RULES AND REGULATIONS FOR THE BOONE COUNTY JAIL. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII C)

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Commissioner Flaig moved, seconded by Commissioner Kenner to approve Resolution 08-100, a Resolution of the Boone County Fiscal Court awarding the bids for Fiscal Year 2007-2008 Custodial Supplies and HP Products to Weidner & Dunnreicht. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII D)

Commissioner Flaig moved, seconded by Commissioner Moore to approve Resolution 08-101, a Resolution of the Boone County Fiscal Court awarding the bids for hardware. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII E)

Commissioner Kenner moved, seconded by Commissioner Flaig to approve Resolution 08-102, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT AUTHORIZING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO EXECUTE A LEASE AGREEMENT BETWEEN THE COUNTY AND ROBERT AND NORIS LAM FOR A PORTION OF PROPERTY LOCATED ON NORTH JEFFERSON STREET IN BURLINGTON. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII F)

ITEM VIII.

OLD BUSINESS

At this point in the meeting Commissioner Flaig made several remarks noting that she wanted to review the item of take home cars for certain county employees. Flaig noted that she believes that the County could save money by eliminating certain vehicles. Commissioner Flaig recommended changing take-home vehicle privileges from 22 to just four employees.

Mr. Earlywine estimated by reduces the number of take home vehicles in November 2007 the County would save approximately \$24,000 each fiscal year. In light of rising gas prices, he estimated the expense has risen to approximately \$30,000 per year. However, that this estimate did not take into account the new federal reimbursement rate for millage.

Commissioner Kenner stated that he did not see how anymore cuts to the current vehicle policy could be applied without negatively hampering County services. Kenner cited several examples of employees (parks director, code enforcement officers, and fleet supervisor's) who have take-home privileges and how this policy allows them to report directly to job sites. Commissioner Kenner noted that if the employees had to report the building prior to responding to the "call" it would slow County response time as well as allow the employee to charge the County for the mileage on their own personal vehicles.

Kenner also went on to compare Boone County's use of vehicles with that of other counties in the state. Kenner noted that Boone County is unique in terms of size and population, and that the County has to operate itself more like that of a city and he believes that the County currently is meeting the needs on this matter.

Commissioner Flaig stated that she believed these vehicles should only be used for emergencies, and for all other uses the employees should have to report the administration building to pick up their vehicles before going out into the field.

Mr. Earlywine noted that after review the current take home policy every employee with a vehicle has been given the County's stated policy identifying appropriate uses of County vehicles and each employee has had to sign acknowledgement of the policy. Earlywine further stated that any employee's deviation from the policy will be addressed by the County.

At this time Commissioner Moore asked Commissioner Flaig for a clarification of what action she wished the Court to take.

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Commissioner Flaig moved that the County amend the budget to reflect a new take home vehicle policy limiting the number of employees with take home privileges from 22 cars down to 4.

Judge Moore asked for the pleasure of the Court, seeing that there were none who wished to offer a second, Commissioner Flaig's motion died on the floor.

Judge-Executive Moore said the policy would continue to be evaluated each year.

ITEM IX.

NEW BUSINESS

Partnership between the Animal Shelter and Brown Mackie College.

Boone County Animal Control Director Becky Reiter made several remarks regarding a proposed resolution accepting a partnership between the Boone County Fiscal Court and Browne Mackie College establishing an Animal Care Facility and Adoption Program. Becky noted that this partnership would greatly benefit both the County and the college.

Reiter further explained that this program will allow the college to utilize the shelter as a teaching and clinical site for students. The licensed veterinarian instructing the students will provide for the animals housed in the county shelter. Those involved with this program will provide a variety of services from basic health examinations to spay and neutering procedures.

Reiter also explained that this program will save local residents money. Under the newly approved policy a pet can be adopted, with the spay/neuter procedure completed, for \$89 (cats) or \$119 (dogs). Whereas before a resident would pay about \$50 to adopt a pet from the shelter, and about an additional \$115-\$194 to have the animal spayed or neutered at another facility.

Upon hearing the recommendation from Becky Reiter Judge Moore asked for the pleasure of the court.

Commissioner Moore moved, seconded by Commissioner Kenner to approve Resolution 08-103, A Resolution by the Boone County Fiscal Court is hereby approving an educational affiliation agreement with Brown Mackie College that will allow the college's veterinary technology program to utilize the Boone County Animal Shelter as a clinical site for students. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit IX A)

Acquisition of real estate adjacent to the Hempfling Orchard Recreational Site.

Assistant County Administrator Tim Williams made a brief presentation regarding the acquisition of real estate adjacent to the Hempfling Orchard recreational site. Mr. Williams noted that this property was currently owned by Mr. Reed Coen and consisted of approximately 5 acres. This portion of land is beneficial to the county because of the future construction of a boat ramp on the Ohio River at Conrad Park. Mr. Williams noted that the County has performed an appraisal of the property along with an environmental study of the area.

Mr. Earlywine stated that due to savings in several line item savings in the current year's Parks budget, it was the staff's recommendation that the Fiscal Court to approve the purchase of this property, to be funded in 2008, as well as to ensure riverbank protection for the County's interests.

Commissioner Kenner moved, seconded by Commissioner Flaig to approve Resolution 08-104, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT AUTHORIZING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO EXECUTE ANY AND ALL DOCUMENTS FOR AN AGREEMENT BETWEEN THE COUNTY AND REED COEN FOR THE PURCHASE OF PROPERTY ON RIVER ROAD. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit IX B)

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ITEM X.

FISCAL MATTERS

Commissioner Moore moved, seconded by Commissioner Kenner, to approve an invoice report dated 6-24-08 & a prepaid invoice report dated 6-4-08, 6-6-08, and 6-20-08. 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 Fiscal Court Order # 9, A Fiscal Court Order of the Boone County Fiscal Court authorizing transfers in the amount of \$1,328,971 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 B)

Commissioner Flaig moved, seconded by Commissioner Moore, to approve Fiscal Court Order # 9A, A Fiscal Court Order of the Boone County Fiscal Court authorizing transfers in the amount of \$7,537, 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.

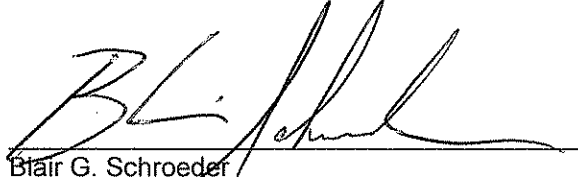
ADJOURNMENT

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 24, 2008.



Blair G. Schroeder
Fiscal Court Clerk

Date: 7-8-08