

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**December 16, 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  
Col. Les Hill, County Sheriff  
Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive  
Tim Williams, Assistant County Administrator  
Robin Curry, Assistant County Administrator  
Jeff Smith, Assistant County Attorney  
Blair Schroeder, Fiscal Court Clerk  
Greg Sketch, County Engineer

**ITEM II.**

**APPROVAL OF MINUTES**

Commissioner Kenner moved, seconded by Commissioner Moore, to approve the Minutes from the meeting of December 2, 2008. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

**ITEM III.**

**DELEGATIONS**

**Proclamation to Florence Antique Mall**

Judge Moore presented Jeff Toner, representative from the Florence Antique Mall, with a proclamation in recognition for this local business being recognized in a statewide publication as Kentucky's Best Antique shop.

**"Quit Littering" Calendar Contest Winner's**

Becky Halterman and Kelly Chapman, from the Solid Waste Department, presented the winner's of the "Quit Littering" Calendar Contest.

**Presentation by Conservation District**

At this time Tom Compte, from the Conservation District, gave a presentation regarding the Gun Powder Creek Watershed Initiative. Mr. Compte noted that the Conservation District was submitting a grant application to the state and asked if the Fiscal Court would write a letter supporting the Conservation District's proposed initiative.

At the conclusion of Mr. Compte's presentation Judge Moore opened the floor to the members of the Fiscal Court.

Commissioner Flaig asked what the size of the grant was. Mr. Compte stated that they were going to seek somewhere between \$500,000 to \$750,000 dollars for the project. Mr. Compte further noted that the grant did require a 40% match that would not be covered by the by Fiscal Court, but rather through in kind services and funds dispensed by the Conservation District as well as other supporting agencies. Mr. Compte concluded by noting that the dollars that they were requesting from the state are federal dollars that are administered by the state of Kentucky.

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At that time Commissioner Moore moved, and was seconded by Commissioner Kenner, to instruct County staff to write a letter in support of the Conservation District's Gun Powder Creek Watershed Initiative grant application. Judge Moore called for a vote, all present voting AYE. Motion passes 4-0.

**ITEM IV.**

**PERSONNEL MATTERS**

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

**ITEM V.**

**ORDINANCES**

**Second Reading regarding Shayeson/Huff Properties (Viox & Viox)**

Commissioner Flaig moved, seconded by Commissioner Moore, to approve an Ordinance of the Boone County Fiscal Court approving, with conditions, for a request of Viox & Viox, Inc., Justin M. Verst, P.E. (applicant) for Shayeson/Huff Properties, Billy and Judith Vines (owners) for a Zoning Map Amendment, such zoning map amendment being a zone change from Suburban Residential One (SR-1) to Industrial One (I-1) for an approximate 7.9 acre site generally located on the north side of Petersburg Road and to the east and northeast of the property at 1648 Petersburg Road, Boone County, Kentucky. Judge Moore called for a vote on this motion. MOTION PASSES (4-0).

**ITEM VII.**

**JUDGE'S REPORT**

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 08-158, A Resolution of the Boone County Fiscal Court approving the action of Gary W. Moore, County Judge/Executive, re-appointing Freda S. Carlin and Paul L. Donaldson, Jr. to the Boone County Extension District Board. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII A).

Commissioner Flaig moved, seconded by Commissioner Moore, to approve Resolution 08-159, A Resolution of the Boone County Fiscal Court approving the action of Gary W. Moore, County Judge/Executive, re-appointing John Walton, Michael Klahr, Hang Burlew, Rick O'Daniel, David Whitehouse, Leslie Stephens, and Richard Ammon to the Central Park Arboretum Advisory Council. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII B).

Commissioner Moore moved, seconded by Commissioner Kenner, to approve Resolution 08-160, A Resolution of the Boone County Fiscal Court approving the action of Gary W. Moore, County Judge/Executive, re-appointing Bridget Striker to the Boone County Historic Preservation Review Board. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII C).

Commissioner Flaig moved, seconded by Commissioner Moore to approve Resolution 08-161, a Resolution of the Boone County Fiscal Court hereby approves the action of Gary W. Moore, County Judge/Executive, re-appointing Mary Dickey, Jeremy Kleier, and Mary Dickerson to the Northern Kentucky Solid Waste Management's Technical Advisory Committee. Said terms of office to expire December 31, 2009. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI D).

Commissioner Kenner moved, seconded by Commissioner Flaig to approve Resolution 08-162, a Resolution of the Boone County Fiscal Court hereby approves the action of Gary W. Moore, County Judge/Executive, re-appointing Ted Bushelman to the Cable Community Program Center's Advisory Committee. Said term of office to expire December 31, 2009. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI E).

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Commissioner Moore moved, seconded by Commissioner Kenner to approve Resolution 08-163, a Resolution of the Boone County Fiscal Court approving the re-appointment of County Judge/Executive Gary W. Moore to the Ohio-Kentucky-Indiana (OKI) Regional Council of Governments Board of Trustees. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI F)

**ITEM VII.**

**ADMINISTRATIVE MATTERS**

**Public Hearing to Discuss a Vacation of Right of Way Request**

Judge Moore called for the opening of the Public Hearing at 6:25 pm

At this time County Engineer Greg Sketch gave an presentation updating the Court as to the viewing Committee's findings regarding the request to close a portion of Main Street and all of Front Street in the town of Belleview.

Mike Kenny a resident along the roads in question was present to represent the property owners regarding this request. Mr. Kenny noted that he, as well as the other property owners, were in favor of this request to close the right of way.

After Mr. Kenny's comments Judge Moore asked if there was anyone else who wished to comment on this matter.

Seeing that there were no one else wished to speak, Judge Moore declared the Public Hearing closed at 6:33 pm.

Commissioner Kenner moved, seconded by Commissioner Flaig to approve Resolution 08-164 A Resolution of the Boone County Fiscal Court approving to close a portion of Main Street and all of Front Street in the Town of Belleview located in Boone County Kentucky as recommended by the viewing committee. Judge Moore called for a vote on the motion, All Present Voting Aye (4-0). (Exhibit VII A)

**Approval of the Fiscal Court Calendar for 2009**

Commissioner Moore moved, seconded by Commissioner Kenner, to approve Resolution 08-165, A Resolution of the Boone County Fiscal Court does hereby approve the Fiscal Court Calendar for the Calendar Year 2009. Judge Moore called for a vote on the motion, MOTION PASSES (3-1). Commissioner Flaig voted nay (Exhibit VII B).

**Authorizing request to KRS Board of Trustees to approve Hazardous Duty employees**

At this time County Administrator Jeff Earlywine noted to the Court the next two resolutions were seeking authorization from the State KRS Board of Trustees to approve hazardous duty coverage for employees in the both the Jail and Sheriff's department who begin participating in the County Employee Retirement System (CERS) on or after September1, 2008. Jeff noted that without the Court acting on this matter employees in these two departments would not be able to enroll in CERS as hazardous duty employees.

Commissioner Moore asked if the Board of Trustees rejected this recommendation from the Court would the County employees in question be able to receive hazardous pay?

Mr. Earlywine remarked that if this recommendation was rejected our employees would not be eligible for hazardous duty coverage, but noted a rejection of this resolution by the state board was unlikely.

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Commissioner Moore asked if drafting a letter of support to the state board would be appropriate.

Mr. Earlywine stated that he would follow up on the appropriate protocol.

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 08-166, a Resolution of the Boone County Fiscal Court authorizing a request that the KRS Board of Trustees approve hazardous duty coverage for positions in the Jail's Department. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII C).

Commissioner Moore moved, seconded by Commissioner Flaig, to approve Resolution 08-167, a Resolution of the Boone County Fiscal Court authorizing a request that the KRS Board of Trustees approve hazardous duty coverage for positions in the Jail's Department. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII D).

**ITEM VIII.**

**OLD BUSINESS**

At this time Assistant County Administrator Robin Curry gave a brief report to the Court regarding the County's cleaning services contract that is set to expire on January 31, 2009. Mr. Curry noted that currently this contract cost the County \$77,988 annually. Mr. Curry went on to state that in light of recent discussions on cost saving measures that this contract might be one in which the County not renew. Each department or office in the Fiscal Court buildings has indicated its willingness to clean their own offices while the common areas would be cleaned by a property maintenance crew leader using inmate labor early each morning before the meeting opens. Mr. Curry noted that each department has been willing to assist in this new policy in any way they can. The total saving for the Fiscal Court will be approximately \$77,000 annually.

**ITEM IX.**

**NEW BUSINESS**

There was no new business to go before the Court at this time.

**ITEM X.**

**FISCAL MATTERS**

Commissioner Kenner moved, seconded by Commissioner Moore, to approve an invoice reports dated 12-16-08, and pre-paid invoice report dated 11-30-08 and 12-5-08. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Moore moved, seconded by Commissioner Flaig, to approve the monthly financial report for the month of November 2008. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Fiscal Court Order #3, A Fiscal Court Order of the Boone County Fiscal Court authorizing transfers in the amount of \$310,141 within the adopted Fiscal Year 2008-2009 Budget. – AVR

**ITEM XI.**

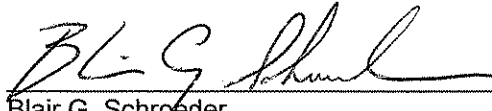
**ADJOURNMENT**

Commissioner Kenner moved, seconded by Commissioner Moore, 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 December 16, 2008.



Blair G. Schroeder  
Fiscal Court Clerk

Date: Jan 6, 2009