

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
January 20, 2009
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
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 January 6, 2008. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

ITEM III.

DELEGATIONS

At this time Judge Moore issued a proclamation recognizing "Radon Action Month".

ITEM IV.

PERSONNEL MATTERS

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

ITEM V.

ORDINANCES

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

ITEM VII.

JUDGE'S REPORT

Commissioner Moore moved, seconded by Commissioner Flaig, to approve Resolution 09-06, A Resolution of the Boone County Fiscal Court approving the action of Gary W. Moore, County Judge/Executive, re-appointing Lona J. Valentine to the Tax Advisory Board for Mental Health. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI A).

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 09-07, A Resolution of the Boone County Fiscal Court approving the action of Gary W. Moore, County Judge/Executive, appointing Kelley Jones to the Tax Advisory Board for Mental Health. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI B).

Commissioner Moore moved, seconded by Commissioner Flaig, to approve Resolution 09-08, A Resolution of the Boone County Fiscal Court approving the action of Gary W. Moore, County Judge/Executive, appointing Harold Mcfarland to the Boone County Historic Preservation Review Board. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI C).

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
January 20, 2009
5:30 P.M.

Commissioner Flaig moved, seconded by Commissioner Kenner, to approve Resolution 09-09, A Resolution of the Boone County Fiscal Court approving the action of Gary W. Moore, County Judge/Executive, appointing Tony Lamb to the Northern Kentucky Area Development District Board of Directors to fulfill the unfinished term of Jack Graham. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI D).

ITEM VII.

ADMINISTRATIVE MATTERS

County Lease of Boone Conservancy Properties

At this time Sharon Elliston, from the Boone Conservancy, made some brief remarks regarding the proposed resolution seeking the Fiscal Court to approve a lease agreement for two properties owned by the Conservancy.

The first property was located on KY State Route 18 in Belleview and known as a mining site. The second property was located adjacent to the county's Middle Creek Park, and known as the Carmargo Hunt Club. It was noted that both of these properties would total approximately 175 acres (129 at the Belleview mine site and 44.5 at the Carmargo Hunt Club site). Elliston noted that the terms of the lease were for three years with an annual lease fee of \$1.00.

After Ms. Elliston's remarks the floor was opened to members of the Court for questioning.

Commissioner Moore asked if hunting would still take place on the Carmargo site?

Ms. Elliston noted that it would but under the pre-existing conditions. These conditions outlined specific times for hunting as well as type of hunting. Elliston did note that the hunting that takes place on this property is fox hunting and guns are not used.

Commissioner Flaig asked if the Conservancy still intended to continue their cleanup efforts at the mine site.

Elliston noted that the Conservancy would continue to work the site.

Seeing that there was no further discussion Judge Moore called for action on Agenda Items VII A and VII B.

Commissioner Flaig moved, seconded by Commissioner Moore, to approve Resolution 09-10, A Resolution of the Boone County Fiscal Court authorizing the County Judge/Executive to execute a lease agreement for an approximate 44.5 acre parcel of property located at 5989 Burlington Pike, Belleview Kentucky in western Boone County with the Boone Conservancy, Inc. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII A).

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 09-11, A Resolution of the Boone County Fiscal Court authorizing the County Judge/Executive to execute a lease agreement for an approximately 129 acre parcel of property located at 1793 Burlington Pike, Belleview Kentucky in western Boone County with the Boone Conservancy, Inc. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII B).

ITEM VIII.

OLD BUSINESS

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

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
January 20, 2009
5:30 P.M.

ITEM IX.

NEW BUSINESS

Dennis Elrod remarks closure of the CDBG Grant

Dennis Elrod, from Atkins-Elrod & Associates and Grant Administrator on behalf of the County, made several brief comments in regards the closing of the County's Community Block Development Grant that was used for the construction of the Senior Center at the RC Durr YMCA. Elrod noted that the new center came in slightly under budget and that it was completed a year ahead of schedule.

Foreclosure Intervention and Prevention Program

At this time Human Service Director Kirk Kavanaugh made a brief presentation to the Fiscal Court regarding the opportunity to partner with the Brighton Center in their Foreclosure Intervention and Prevention Program.

Jennifer Pugh, a representative from the Brighton Center, addressed the Court identifying the impact and benefit that this program would offer Boone County residents who have been negatively impacted by the recent economic downturn. Ms. Pugh further noted that this program was not designed to directly give money to residents, but rather it is designed to help provide educational and counseling services. Ms. Pugh remarked that the Brighton Center would leverage about \$7,900 from the Kentucky Housing Corporation and \$2,500 will be donated by U.S. Bank leaving an unfunded balance of \$17,397.

Mr. Kavanaugh recommended that the Fiscal Court endorse the recommendations of the Human Services Department and the Tax Board and authorize allocation of funds to the Brighton Center to assist with program. Mr. Kavanaugh remarked that the amount requested would come from a specially earmarked fund administered by the Fiscal Court that can only be used for social service related needs and not come from the County's general fund.

Mr. Kavanaugh concluded his remarks by stating that this program would be scheduled to begin on February 1 and would continue through June 30, 2009. He further noted that a separate grant application for FY 2010 has already been submitted and will be reviewed by the Tax Board in the coming months prior to being presented to the Fiscal Court.

At this time Judge Moore wanted to confirm with Mr. Kavanaugh and Ms. Pugh that the tax dollars were not going to be issued to residents, but rather be used only in funding counseling and educational services.

Ms. Pugh confirmed that the Judge's understanding was correct and that the money would only be used to aid in the implementation of the program.

Commissioner Flaig asked how many residents would benefit from this program?

Ms. Pugh noted that this program would only use County tax dollars to help County residents and that at this point in time the Brighton Center had already identified 48 different clients who would benefit from the program.

Commissioner Kenner moved, seconded by Commissioner Moore, to approve Resolution 09-12, A Resolution of the Boone County Fiscal Court authorizing the County to enter into a partnership with the Brighton Center and U.S. Bank to create the Foreclosure Prevention And Intervention Program and to adopt the recommendations of the Human Services Department and the Tax Board to authorize the allocation of \$17,397 to the Brighton Center. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII B).

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
January 20, 2009
5:30 P.M.

ITEM X.

FISCAL MATTERS

Commissioner Flaig moved, seconded by Commissioner Moore, to approve an invoice reports dated 1-20-0, and pre-paid invoice report dated 1-09-09 and 1-16-09. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit XA)

Commissioner Moore moved, seconded by Commissioner Flaig, to approve Fiscal Court Order # 4, An Order of the Boone County Fiscal Court authorizing transfers in the amount of \$40,800 within the adopted Fiscal Year 2008-2009 Budget. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit XB)

ITEM XI.

Executive Session

At this time Judge Moore noted that the Fiscal Court needed to enter into an Executive Session to discuss a legal matter. Judge Moore noted that there would not be any action as a result of the Executive Session.

Commissioner Moore moved, seconded by Commissioner Kenner, to enter into Executive Session for purposes of discussing litigation, pursuant to KRS 61.810(1)(c). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Flaig moved, seconded by Commissioner Kenner to come out of closed executive session and move back into open session. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). There was no action taken by the court following the closed session.

ITEM XI.

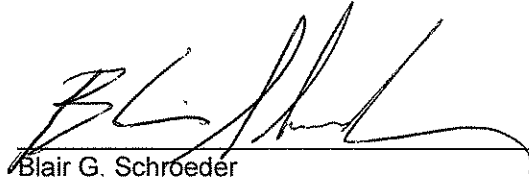
ADJOURNMENT

Commissioner Moore moved, seconded by Commissioner Kenner, to adjourn the meeting, ALL PRESENT VOTING AYE (4-0).

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
January 20, 2009
5:30 P.M.

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 January 20, 2009.



Blair G. Schroeder
Fiscal Court Clerk

Date: 2-4-09