

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
February 3, 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

ITEM II.

APPROVAL OF MINUTES

Commissioner Moore moved, seconded by Commissioner Kenner, to approve the Minutes from the meeting of January 20, 2008. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

ITEM III.

DELEGATIONS

Proclamation

At this time Judge Moore issued a proclamation recognizing "President Lincoln Day" in Boone County.

Historical Preservation Review Board Presentation

Matt Becher gave a brief presentation on behalf of the Historical Preservation Review Board. The presentation consisted of the 2008 Annual Review as well as the 2009 Action Plan. The Court was receptive to Mr. Becher's presentation and encouraged him to keep them posted on the Historical Preservation Review Boards progress.

Additional Delegations

At this time Judge Moore asked if there were any residents who wished to address the Court on a matter that did not appear on the agenda.

At this time Boone County resident Butch Arlinghaus came forward to question the accuracy of a news article that the County ran in the latest edition of *What's Happening*. Mr. Arlinghaus asked the Court if tax dollars were used in paying for *What's Happening* as well as who was responsible for the content included in the publication. Mr. Arlinghaus alleged that an article submitted by the County claimed that the Fiscal Court voted to set the tax rate at 10.2 cents. Mr. Arlinghaus noted that the Court did not approve this tax rate via vote and encouraged the Court to retract the article.

Judge Moore noted that the County did pay for its publication space in the magazine and that the content is vetted and submitted by several staff members to the editor at Rivertown Publications. Judge Moore thanked Mr. Arlinghaus for his time.

Judge Moore then opened the floor for any other delegations.

At this time James Bozman, Boone County resident, came forward and suggested to the Court that in an effort to save paper and reduce operating cost the County could start printing the fiscal court agenda double sided.

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
February 3, 2009
5:30 P.M.

ITEM IV.

PERSONNEL MATTERS

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

ITEM V.

ORDINANCES

First Reading regarding the County's Cable Franchising Agreement

Next the Fiscal Court Clerk Blair Schroeder read into the record the first reading for, AN ORDINANCE GRANTING AND ISSUING A COMPETITIVE, NON-EXCLUSIVE FRANCHISE FOR A TERM OF 12 YEARS TO AND AUTHORIZING THE EXECUTION OF THE FRANCHISE AGREEMENT WITH CINCINNATI BELL EXTENDED TERRITORIES LLC, ITS PERMITTED SUCCESSORS OR ASSIGNS, PROVIDING FOR THE CONSTRUCTION, ERECTION, INSTALLATION AND OPERATION OF A CABLE TELEVISION SYSTEM FOR THE PROVISION OF CABLE TELEVISION SERVICES IN THE UNINCORPORATED AREAS OF BOONE COUNTY, ALL UPON THE TERMS, CONDITIONS AND COVENANTS CONTAINED IN THE FRANCHISE AGREEMENT.

County Administrator Jeff Earlywine noted to the Court that there was a great deal of information regarding this matter available to them in their Court packet. Earlywine also remarked that prior to taking action he encouraged them to review the material and contact him with any question they might have.

The second reading for this ordinance was tentatively scheduled for the March 3rd Fiscal Court meeting.

ITEM VII.

JUDGE'S REPORT

Commissioner Moore moved, seconded by Commissioner Flaig, to approve Resolution 09-13, A Resolution of the Boone County Fiscal Court approving the action of Gary W. Moore, County Judge/Executive, appointing Jan Chapman to the Animal Shelter Advisory Board to complete the unexpired term of Beckey Wood. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VI A).

ITEM VII.

ADMINISTRATIVE MATTERS

Amending the Fee Schedule for Park Shelter Rentals

At this time Assistant County Administrator Tim Williams gave brief presentation to the Court regarding amending the County's park shelter rental fees. Mr. Williams' recommendation was to increase the fee from \$25 to \$35. Williams noted that this increase would still be very competitive with other regional park shelter fees and that this increase would help create and estimated \$5,000 annually in additional revenue that would allow the County to maximize their return on these facilities.

Commissioner Flaig moved, seconded by Commissioner Kenner, to approve Resolution 09-14, A Resolution of the Boone County Fiscal Court Amending the approved Fee Schedule for Shelter Rentals at the Boone County Parks for Calendar year 2009. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit VII A).

Conner Campus Sidewalk System

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 09-15, A Resolution of the Boone County Fiscal Court authorizing the County Judge/Executive to execute an agreement between the County and the Kentucky Transportation Cabinet for the Conner Campus Sidewalk System. 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
February 3, 2009
5:30 P.M.

ITEM VIII.

OLD BUSINESS

At this time Commissioner Flaig asked staff to provide her with a list of the County organizational chart as well as a list of the take home vehicles.

Commissioner Flaig also inquired as the remaining amount of salt the County had after the severe weather from prior weeks.

Mr. Earlywine noted that the County had approximately 5,000 tons of salt at the start of the season and is now down to somewhere between 1,500 to 2,000 tons. It was also noted that the County was in the process of ordering more salt.

Judge Moore took this opportunity to thank the County road crews who had been working to clear the roads and praised them for their hard work and dedication. He noted that the County was always looking for ways to improve their service to residents. Judge Moore further noted that after each weather event he communicates with various departments and staff members to evaluate ways in which the County can better respond to residents needs.

ITEM IX.

NEW BUSINESS

There were no items under New Business at tonight's Court meeting.

ITEM X.

FISCAL MATTERS

Fiscal Year 2009 Second Quarter Budget Report and Presentation

Administrator Jeff Earlywine and County Treasurer Lisa Buerkley gave a brief summary to the Court regarding the County's current standing in light of the staff's second quarter budget review for FY2009. They noted that the second quarter review was encouraging in terms of identifying approximately \$1 million in budget reduction measures. Mr. Earlywine did note that while these projections are encouraging it did not eradicate the total projected budget shortfall. They further noted that the budget's performance would be closely monitored during the third quarter and that staff would keep the Court informed.

Additional Fiscal Matters

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve a pre-paid invoice report dated 1-23-09 and 1-30-09. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0). (Exhibit XB)

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

ITEM XI.

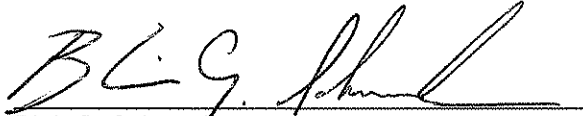
ADJOURNMENT

Commissioner Flaig moved, seconded by Commissioner Moore, 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
February 3, 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 February 3, 2009.


Blair G. Schroeder
Fiscal Court Clerk

Date: 2-18-09