

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
June 23, 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
Les Hill, Sheriff's Department
Robin Curry, Assistant County Administrator
Tim Williams, Assistant County Administrator
Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive
Greg Sketch, County Engineer
(Absent) Jeff Smith, Assistant County Attorney
Daphne Kornblum, Fiscal Court Clerk

ITEM II.

APPROVAL OF MINUTES

Commissioner Moore moved, seconded by Commissioner Kenner, to approve the Minutes from the meeting of June 9, 2009. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

ITEM III.

DELEGATIONS

A Proclamation recognizing July as National Recreation and Park Month was read by Judge Moore.

ITEM IV.

PERSONNEL MATTERS

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 09-94, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPOINTING ADAM HOWARD AS GOVERNMENT AND COMMUNITY RELATIONS DIRECTOR IN THE JUDGE/EXECUTIVE'S OFFICE. (IV. A, Exhibit A) Commissioner Kenner moved, seconded by Commissioner Moore, to approve Resolution 09-94. Residents Jill Fetchig, followed by John Coffee asked general questions concerning the position. Resident Jan Garbet requested the funds for the position be distributed to the Sheriff's Department, Conservation District & Dinsmore. Judge Moore answered that funding for the Dinsmore and Water Conservation had been restored to FY09 budget levels. Resident George Marsh made a comment regarding the proposed appointment. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 3-1 (AYE: Judge Moore, Commissioner Kenner, Commissioner Moore), (NAY: Commissioner Flaig).

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 09-95 A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPOINTING ANGELA DAILEY TO THE SEASONAL POSITION OF ARBORETUM INTERN IN THE BOONE COUNTY PARKS DEPARTMENT. (IV. B, Exhibit A) Commissioner Moore moved, seconded by Commissioner Flaig, to approve Ordinance 09-95. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

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ITEM V.

ORDINANCES

Judge Moore asked the Fiscal Court Clerk to read into the record Ordinance 09-10, Second reading, AN ORDINANCE RELATING TO THE APPROVAL, WITH CONDITIONS, FOR A REQUEST OF ECE, INC. (APPLICANT) FOR ARLINGHAUS I, LLC (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM RURAL SUBURBAN ESTATES (RSE) TO SUBURBAN RESIDENTIAL ONE (SR-1) FOR 5.234 ACRES OF A 59.65 ACRE TRACT LOCATED AT 2225 GRAVES ROAD, BOONE COUNTY. (V. A) Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Ordinance 09-10. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

Judge Moore asked the Fiscal Court Clerk to read into the record Ordinance, First reading, AN ORDINANCE RELATING TO AN APPROVAL FOR A REQUEST OF TOEBBEN, LTD (APPLICANT) FOR TOEBBEN, LTD (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM RURAL SUBURBAN ESTATES (RSE) TO COMMERCIAL TWO (C-2) FOR 3.68 ACRES LOCATED AT 1922 AND 1932 NORTH BEND ROAD, BOONE COUNTY, KENTUCKY. (V. B) Residents Frank Dichiara, Daniel Knapp & Terry Akabache spoke against approving the Ordinance. Resident Nelda Purdon explained the pro's & con's that were presented at their HOA meeting. Resident Maranda Aust & Bill Riley spoke against approving the Ordinance. Bill Toebben, Developer, answered questions, reviewed and gave a presentation on the project. A Special Meeting for a Second Reading date was set for June 30th at 5:30pm in the Fiscal Court Room.

ITEM VI.

JUDGE'S REPORT

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 09-96, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING DANIEL T. FAY, TROY CROOK, AND JACK GORDON TO THE NORTHERN KENTUCKY CONVENTION AND VISITORS COMMISSION. (VI A) Commissioner Flaig moved, seconded by Commissioner Moore, to approve Resolution 09-96. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 09-97, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE EXECUTIVE, RE-APPOINTING JOHN NALBANDIAN TO THE TRI-COUNTY ECONOMIC DEVELOPMENT CORPORATION. (VI. B) Commissioner Kenner moved, seconded by Commissioner Moore, to approve Resolution 09-97. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 09-98, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING DAN SULLIVAN TO FINISH THE UNEXPIRED TERM OF TODD RYAN ON THE VERONA FIRE PROTECTION DISTRICT BOARD. (VI. C, Exhibit A) Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 09-98. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

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ITEM VII.

ADMINISTRATIVE MATTERS

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 09-99, A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING THE RECOMMENDATIONS OF THE BOONE COUNTY TAX BOARD AS IT RELATES TO SUPPORTING MENTAL HEALTH, MENTAL RETARDATION AND AGING PROGRAMS DURING FISCAL YEAR 2010. (VII. A, Exhibit A, 1, 2, 3) Kirk Kavanaugh, Human Services Director, gave a presentation regarding the Tax Board proposed allocations for Mental Health, Mental Retardation & Aging Tax Funds. He touched on the historical trends of the tax funds and stated that for FY 2010 the tax board has recommended support for 39 organizations and 62 programs. Commissioner Kenner moved, seconded by Commissioner Moore, to approve Resolution 09-99. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 09-100, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT MAKING APPLICATION FOR REIMBURSEMENT OF COUNTY FUNDS UTILIZED FOR THE TRANSPORTATION OF NON PUBLIC SCHOOL STUDENTS. (VII. B, Exhibit A) Commissioner Moore moved, seconded by Commissioner Kenner, to approve Resolution 09-100. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 09-101, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT ACKNOWLEDGING RECEIPT OF THE PUBLIC HEALTH TAX RATE SET BY THE BOONE COUNTY PUBLIC HEALTH TAXING DISTRICT CREATED BY KRS 212.750 AND VERIFYING ITS PLACEMENT ON THE COUNTY TAX BILL. (VII. C, Exhibit A) Commissioner Flaig moved, seconded by Commissioner Moore, to approve Resolution 09-101. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 09-102, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDDING THE SECTION 8 AUDIT FOR THE PERIOD ENDING JUNE 30, 2009 TO KENNETH M. ROBERTS, CPA. (VII. D, Exhibit A) Commissioner Flaig moved, seconded by Commissioner Kenner, to approve Resolution 09-102. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 09-103, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING BOONE COUNTY'S PARTICIPATION WITHIN THE NORTHERN KENTUCKY ENERGY COLLABORATIVE AND THE FEDERAL ENERGY AND CONSERVATION EFFICIENCY BLOCK GRANT PROGRAM. (VII. E, Exhibit A) Commissioner Moore moved, seconded by Commissioner Kenner, to approve Resolution 09-103. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

ITEM VIII.

OLD BUSINESS

No items of old business were addressed at this time.

ITEM IX.

NEW BUSINESS

Commissioner Kenner commented on the recent report by the PVA that the original tax assessment report for 2009 contained some errors and an amended tax assessment report was filed with the state. He indicated that this mistake was substantial and that he questioned the circumstances surrounding the report. He further indicated that the county's staff actually found the discrepancies. He requested the staff to contact the PVA office and determine if any additional information was available regarding this matter.

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ITEM X.

FISCAL MATTERS

Commissioner Moore moved, seconded by Commissioner Kenner, to approve an invoice report dated (6-23-09) and pre-paid invoice report dated (6-5-09) and (6-12-09) and (6-19-09). (X. A1,A2,A3,A4) ALL PRESENT VOTING AYE (4-0).

Commissioner Flaig moved, seconded by Commissioner Moore to approve Fiscal Court Order #10 & 10A, A Fiscal Court order of the Boone County Fiscal Court authorizing transfers in the amount of \$215,730.00 & \$4,230.00 within the adopted Fiscal Year 2008-2009 Budget. (X B) ALL PRESENT VOTING AYE (4-0).

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 09-104, A RESOLUTION RELATING TO THE FISCAL COURT OF COUNTY OF BOONE, COMMONWEALTH OF KENTUCKY, ADOPTING THE GOLF COURSE BUDGET FOR FISCAL YEAR 2009-10. (X. D, Exhibit A) Commissioner Kenner moved, seconded by Commissioner Flaig, to approve Resolution 09-104. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

Commissioner Moore moved, seconded by Commissioner Kenner, to approve the Monthly Financial Report and Inter-Fund Transfer for May 2009. (X. D) Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

ITEM XI.

ADJOURNMENT

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

CLERK CERTIFICATION

I, Daphne Kornblum, 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 April 21, 2009.

Daphne Kornblum
Fiscal Court Clerk

Date: 7/8/09