

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
December 22, 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
Greg Sketch, County Engineer
Robin Curry, Assistant County Administrator
Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive
Jeff Smith, Assistant County Attorney
Daphne Kornblum, Fiscal Court Clerk

ITEM II.

APPROVAL OF MINUTES

Commissioner Kenner moved, seconded by Commissioner Moore, to approve the Minutes from the meeting of December 22, 2009. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

ITEM III.

PRESENTATIONS

Mary Dickey and Kelly Chapman from Public Works, Solid Waste Division gave brief comments on the "Quit the Littering" coloring contest. Judge Moore and the Commissioners presented the awards to the winners.

ITEM IV.

PERSONNEL MATTERS

None at this time.

ITEM V.

ORDINANCES

Judge Moore asked the Fiscal Court Clerk to read into the record Ordinance 09-15, a second reading, AN ORDINANCE RELATING TO APPROVAL, WITH CONDITIONS, FOR A REQUEST OF CY ZEMBRODT (APPLICANT) FOR CHAD ROBINSON (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM COMMERCIAL ONE (C-1) TO COMMERCIAL SERVICES (C-3) FOR AN APPROXIMATE ½ ACRE SITE LOCATED AT 166 MT. ZION ROAD, BOONE COUNTY. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the ordinance. 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 a first reading, AN ORDINANCE RELATING TO APPROVAL, WITH ONE CONDITION, FOR A REQUEST OF SIR BARTON PROPERTIES C/O GERALD F. DUSING (APPLICANT) FOR SIR BARTON PROPERTIES (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL SERVICES (C-3) ZONE FOR A 0.3896 ACRE TRACT LOCATED AT 10824 DIXIE HIGHWAY, BOONE COUNTY, KENTUCKY. Kevin Wall, Planning & Zoning, gave a brief presentation and stated P & Z's vote on this issue was 13-0. Jeffrey Earlywine, County Administrator asked if there was any public input at the P & Z meeting. Kevin Wall stated there was not. Second reading will be held at the January 19, 2010 Fiscal Court Meeting.

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Judge Moore asked the Fiscal Court Clerk to read into the record a first reading, AN ORDINANCE OF THE COUNTY OF BOONE, KENTUCKY AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,500,000 (WHICH AMOUNT MAY BE DECREASED AS NECESSARY) TO REFUND AND RETIRE THE OUTSTANDING BOONE COUNTY, KENTUCKY PUBLIC PROPERTIES CORPORATION FIRST MORTGAGE REFUNDING REVENUE BONDS (PUBLIC GOLF COURSE PROJECT), SERIES 1998 AND COUNTY OF BOONE, KENTUCKY VARIOUS PURPOSE GENERAL OBLIGATION PUBLIC PROJECT BONDS, SERIES 1999, THE PROCEEDS OF WHICH WERE USED TO FINANCE CAPITAL PROJECTS WITHIN THE COUNTY OF BOONE, KENTUCKY; APPROVING THE FORM OF BONDS; AUTHORIZING DESIGNATED OFFICERS TO EXECUTE AND DELIVER THE BONDS; PROVIDING FOR THE PAYMENT AND SECURITY OF THE BONDS; CREATING A BOND PAYMENT FUND; ESTABLISHING A SINKING FUND; AUTHORIZING ACCEPTANCE OF THE BID OF THE BOND PURCHASER FOR THE PURCHASE OF THE BONDS; AND REPEALING INCONSISTENT ORDINANCES. Commissioner Moore asked what the savings would be. Jeffrey Earlywine responded \$83,300. Commissioner Flaig asked when this would be paid off. Lisa Buerkley, Finance Director, answered November 2012, Fire portion will be paid in 2019. Second reading will be held at the January 19, 2010 Fiscal Court Meeting.

ITEM VI.

JUDGE'S REPORT

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 09-164, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE- APPOINTING ANDREA WALTON TO THE BULLOCK PEN WATER DISTRICT BOARD. Commissioner Moore moved, seconded by Commissioner Kenner, to approve the resolution. 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 09-165, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING VARIOUS MEMBERS TO THE CENTRAL PARK ARBORETUM ADVISORY COUNCIL. Commissioner Flaig moved, seconded by Commissioner Moore, to approve the resolution. 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 09-166, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING TED BUSHELMAN TO THE CABLE COMMUNITY PROGRAM CENTER'S ADVISORY COMMITTEE. Commissioner Kenner moved, seconded by Commissioner Moore, to approve the resolution. 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 09-167, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING RICK DUNCAN, DON CLARE, PAT WINGO AND ROBERT SCHRAGE TO THE BOONE COUNTY HISTORIC PRESERVATION REVIEW BOARD. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

ITEM VII.

ADMINISTRATIVE MATTERS

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Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 09-168, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING JUDGE/EXECUTIVE GARY W. MOORE TO EXECUTE AN AGREEMENT BETWEEN THE COUNTY AND THE KENTUCKY TRANSPORTATION CABINET FOR THE LIMABURG ACCESS ROAD AND SIDEWALK PROJECT. Commissioner Flaig moved, seconded by Commissioner Moore, to approve the resolution. 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 09-169, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDDING THE BID FOR THE UNDERWATER REMOTE OPERATING VEHICLE FOR WATER RESCUE TO SEABOTIX. Commissioner Moore moved, seconded by Commissioner Kenner, to approve the resolution. 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 09-170, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDDING THE BID FOR THE DIVE EQUIPMENT FOR THE WATER RESCUE DEPARTMENT TO AMRON INTERNATIONAL, DECA DIVING AND MAR-VEL INTERNATIONAL. Commissioner Kenner moved, seconded by Commissioner Moore, to approve the resolution. 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 09-171, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDDING THE BID TO PURCHASE BRAKE PARTS TO KOI AUTO PARTS AND AUTOZONE AUTO PARTS AND THE PURCHASE OF EQUIPMENT FILTERS BE AWARDED TO GEORGE'S TRUCK CENTER. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

ITEM VIII.

FISCAL MATTERS

Commissioner Kenner moved, seconded by Commissioner Moore, to approve Invoice Report (12-22-09) and pre-paid invoice report dated (12-18-09). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Flaig moved, seconded by Commissioner Moore to approve Golf Course Invoice Report (12-22-09) and pre-paid Golf Course invoice report dated (12-18-09). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Moore moved, seconded by Commissioner Kenner to approve the Monthly Financial Report and Interfund Transfer for November. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Flaig moved, seconded by Commissioner Moore to approve the Fiscal Court Order #3, A Fiscal Court order of the Boone County Fiscal Court authorizing transfers in the amount of \$35,986 within the adopted Fiscal Year 2009-2010 Budget. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

ITEM VIII.

OLD BUSINESS

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None at this time.

ITEM IX.

NEW BUSINESS

Ruth Rousher, President of the RC Durr Senior Center's, senior group addressed the Fiscal Court with issues and questions concerning the Senior Center. Judge Moore responded that a meeting will be scheduled with the seniors, YMCA, and staff to discuss the issues.

ITEM XI.

ADJOURNMENT

Commissioner Kenner moved, seconded by Commissioner Moore, 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 December 22, 2009.

Daphne Kornblum
Fiscal Court Clerk

Date: 1/6/10