

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
December 15, 2015
5:30 P.M.

ITEM I.

CALL TO ORDER

- A. Judge Gary W. Moore called to order the meeting of the Boone County Fiscal Court.
- B. Judge Gary W. Moore presented the Invocation and the Pledge to the Flag.

Present: Gary W. Moore, County Judge/Executive
Cathy Flaig, Commissioner, District 1
Charles E. Kenner, Commissioner, District 2
Charlie Walton, Commissioner, District 3
Bob Neace, County Attorney

Staff: Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive
Lisa Buerkley, Assistant County Administrator
Benjamin T. Reece, Finance Director/Treasurer
Scott Pennington, County Engineer
Lori Zombek, Director of Human Resources
Bill Marks, Sheriff Department
Sharon Burcham, Fiscal Court Clerk

ITEM II.

APPROVAL OF MINUTES

A. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Minutes from the meeting of December 1, 2015, with no corrections to be made. Judge Moore called for a vote on the motion, MOTION PASSED 4-0.

ITEM III.

PRESENTATIONS

A. Judge Moore introduced Kelly Bowlin from the Boone County Solid Waste Management Department to present the Calendar Contest for elementary school students. Kelly stated this is a community pride contest for all elementary students in Boone County. There were 770 entries this year. Student winners were in attendance, along with family members, to receive their awards and take pictures with the Judge and Commissioners. Kelly thanked everyone that participated.

B. Judge Moore introduced Sheriff Michael Helmig. Sheriff Helmig presented the FY2016 Budget for the Sheriff's Department with \$17,340,364 in revenue expenses. The only change for FY2016 will be 24 pay periods. Judge Moore explained that the Sheriff's Budget and the County Clerk's budget are on a yearly calendar from January 1st through December 31st with the County's budget being on a fiscal year from July 1 through June 30th. Sheriff Helmig introduced Deputy Les Hill and CFO Becky Beach from the department in attendance.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-228. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE SHERIFF'S BUDGET, GENERAL TERM ORDER, AND ANNUAL ORDER SETTING MAXIMUM AMOUNT FOR DEPUTIES AND ASSISTANTS OF THE BOONE COUNTY SHERIFF'S DEPARTMENT FOR THE CALENDAR YEAR 2016. Judge Moore commented there is a lot of work that goes into preparing this budget and much discussion back and forth to the final outcome and asked if there were any questions from the Court. Commissioner Walton expressed his appreciation of Sheriff Helmig and his department and commented Sheriff Helmig has always been very helpful with any questions Commissioner Walton has asked. Judge Moore asked for any discussion or a Motion on the Resolution; Commissioner Walton moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0. Judge Moore thanked the Sheriff's Department for all their hard work.

C. Judge Moore introduced County Clerk Kenny Brown. County Clerk Kenny Brown presented the FY2016 Budget for the County Clerk's Office and shared with the Court new ideas and processes the Clerk's Office is using to provide better customer service to the County. Jenny Coldiron, the Finance Director for the Clerk's Office gave a review of 2015 of all the departments within the County Clerk's office being, car tags, marriage licenses, notary bonds, and voting registration. County Clerk Kenny Brown commented that Boone County is very timely with reporting the voting results to the State, being the 4th biggest county in the State. Jenny Coldiron, Finance Director of the Clerk's office stated the County Clerk's office is solely funded. Judge Moore commented that Boone County is blessed with the County Clerk's office, they are the face of the Courthouse and they offer quality customer service.

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Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-229. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE COUNTY CLERK'S BUDGET, GENERAL TERM ORDER AND ANNUAL ORDER FOR SETTING THE MAXIMUM AMOUNT FOR DEPUTIES AND ASSISTANTS OF THE COUNTY CLERK'S DEPARTMENT FOR THE CALENDAR YEAR 2016. Judge Moore asked for any discussion or a Motion on the Resolution. Commissioner Walton moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0. Judge Moore thanked the County Clerk's Department for all their hard work.

Judge Moore introduced Lori Zombek, the County's new Director of Human Resources on the bench for her first time along with the last meeting of Lisa Buerkley, our Assistant County Administrator. Lisa Buerkley will be retiring at the end of the year after being with the County for 21 years. She will be missed. There is a celebration for Lisa Buerkley this Thursday, December 17th at 3:00 PM, here in the Courtroom and the public is invited.

ITEM IV.

PERSONNEL MATTERS

A. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-218. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT OF JORDAN ROERTS AND JACOB SHEPHERD AS SPECIAL EVENT WORKERS, BY GARY W. MOORE, COUNTY JUDGE EXECUTIVE, IN THE BOONE COUNTY PARKS DEPARTMENT FOR WINTER EVENTS. Judge Moore asked Lori Zombek, Director of Human Resources to explain. Lori Zombek, Director of Human Resources commented these positions are for the usual winter events held by the Parks Department. Commissioner Walton moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

B. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-219. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT OF MATTHEW WEBSTER, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO THE POSITION OF ASSISTANT COUNTY ADMINISTRATOR IN THE JUDGE EXECUTIVE'S OFFICE. Judge Moore commented with the retiring of Lisa Buerkley we have many responsibilities to cover. We are presenting Matthew Webster to fill the Assistant County Administrator position. Matthew has a law degree from the University of Louisville and worked at Thomas More College as Vice President for Operations and Community Affairs. Once again, we are promoting from within the County. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

C. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-220. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT OF LANA VINES, BY GARY W. MOORE, COUNTY JUDGE EXECUTIVE, TO THE POSITION OF HUMAN RESOURCES SPECIALIST. Judge Moore commented Lana Vines is already employed in this Department, we are promoting from within. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

D. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-221. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE PROMOTION OF JUSTIN E. SMITH BY GARY W. MOORE, COUNTY JUDGE EXECUTIVE, TO THE POSITION OF TRUCK DRIVER/EQUIPMENT OPERATOR IN THE PUBLIC SERVICES DEPARTMENT. Judge Moore asked Scott Pennington, County Engineer, to explain. Scott Pennington commented from the retirement within our Department we had a truck driver position open. Justin Smith currently works here and we want to promote him to the truck driver/equipment operator position. Commissioner Walton moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

E. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-222. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE APPOINTMENTS OF KEVIN P. WESTERMAYER AND JACOB A. WARWICK, BY GARY W. MOORE, COUNTY JUDGE EXECUTIVE, TO THE POSITION OF LABORER IN THE PUBLIC SERVICES DEPARTMENT. Judge Moore asked Scott Pennington, County Engineer, to explain. Scott Pennington, County Engineer, commented this is an open position. These candidates are from outside our department, we are backfilling positions, not adding any new. Commissioner Flaig

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moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

ITEM V.

ORDINANCES

A. Judge Moore asked the Fiscal Court Clerk to read into the record the second reading of Ordinance 2015-18. AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING, WITH CONDITIONS, A REQUEST OF BRUCE BAGSHAW (APPLICANT) FOR CHARLES SUTTON AND BARBARA SUTTON (OWNERS) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL SERVICES/PLANNED DEVELOPMENT (C-3/PD) ZONE FOR A 1.1086 ACRE SITE LOCATED AT 5975 CENTENNIAL CIRCLE, BOONE COUNTY, KENTUCKY. Judge Moore commented this will be a new restaurant located on Centennial Circle, next to the McDonalds Restaurant. Judge Moore asked if there was anyone in the audience opposed to the Ordinance, there was no response. Judge Moore recognized the owners/applicants in the audience and asked if they had any comments. They responded they are looking forward to serving Boone County. Judge Moore commented they are a great business. Commissioner Walton moved, seconded by Commissioner Flaig, to approve the Ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

B. Judge Moore asked the Fiscal Court Clerk to read into the record the second reading of Ordinance 2015-19. AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT WITH CONDITIONS, A REQUEST OF WESDORP PROPERTIES (APPLICANT) FOR RONALD GLENN MORITH, MELVIN E. MORRISON AND MARIE MORRISON (OWNERS) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM RURAL SUBURBAN (RS) TO INDUSTRIAL ONE (I-1) FOR A 2.76 ACRE SITE LOCATED AT 3322 AND 3324 BOONELAND TRAIL, BOONE COUNTY, KENTUCKY. Judge Moore recognized the owners of Jewel Craft in the audience and asked if there was anyone opposed to the Ordinance that wanted to speak, there was no response. Judge Moore explained this was an existing business that is expanding. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

C. Judge Moore asked the Fiscal Court Clerk to read into the record the second reading of Ordinance 2015-20. AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING, WITH CONDITIONS, A REQUEST OF TIM FYDA (APPLICANT) FOR DLW ASSOCIATES (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM COMMERCIAL SERVICES (C-3) TO INDUSTRIAL ONE (I-1) FOR AN APPROXIMATE 14.2 ACRE SITE GENERALLY LOCATED ON THE WEST SIDE OF DIXIE HIGHWAY ACROSS FROM THE DIXIE HIGHWAY/SHORLAND DRIVE INTERSECTION, ALONG THE EAST SIDE OF I-71/75, TO THE NORTH OF OLD RICHWOOD ROAD, TO THE NORTH AND WEST OF THE PROPERTIES AT 11135 DIXIE HIGHWAY AND 124 OLD RICHWOOD ROAD, AND TO THE SOUTH OF THE PROPERTY AT 11075 DIXIE HIGHWAY, BOONE COUNTY, KENTUCKY. Judge Moore recognized the applicant in the audience and asked if there was anyone opposed to the Ordinance, there was no response. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the Ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

D. Judge Moore asked the Fiscal Court Clerk to read into the record the second reading of Ordinance 2015-21. AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, PROVIDING FOR A CREDIT OF ITS OCCUPATIONAL LICENSE FEE FOR NEW EMPLOYEES AS PART OF AN ECONOMIC DEVELOPMENT PROJECT BY MUBEA TAILOR ROLLED BLANKS, LLC UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM (KRS 154.32-010–KRS 154.32-100). Judge Moore explained this company is expanding due to growth in business and is providing new jobs. Jeff Earlywine, County Administrator, commented that Mubea has had requests continued in the past, working with the State. Commissioner Walton moved, seconded by Commissioner Flaig, to approve the Ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

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ITEM VI.

JUDGE'S REPORT

A. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-223. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING MARK HICKS, MIKE FORD AND RANDY BESSLER TO THE BOONE COUNTY PLANNING AND ZONING COMMISSION. Judge Moore commented that the end of the year brings opportunity to fill appointments. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

B. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-224. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING CAROLINE WELTZER AND LEIGH ANN LUTTRELL TO THE MENTAL HEALTH, TAX ADVISORY BOARD. Commissioner Walton 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

A. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-225. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE 2016 FISCAL COURT OFFICIAL MEETING SCHEDULE. Judge Moore explained this is the new meeting schedule for Fiscal Court, the dates being the first and third Tuesday of each month with one exception. On Election Day, November 1st, the Court will meet at 8:30 AM. Commissioner Flaig asked if there were any Special Caucus Meetings for the year. Judge Moore answered, at this time there is only one scheduled for January 12th for the National Golf Foundation presentation. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

B. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-226. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT NAMING A NEW SECTION OF COUNTY ROAD LOCATED BETWEEN NORTH BEND ROAD (KY 237) AND LIMABURG ROAD AS "GATEWAY BOULEVARD". Judge Moore asked Scott Pennington, County Engineer, to comment. Scott Pennington, County Engineer added this is the short connection road between KY Rt. 237 and Limaburg Road out by the airport runway. We are waiting for the signal system to be completed before it is opened. Judge Moore added the naming was continued from Gateway Boulevard since it was such a short street; saving an honorary name for a more active street. Commissioner Flaig asked how long the street was, Scott Pennington, County Engineer, responded 300 feet. Judge Moore asked about delays, Scott Pennington, County Engineer, responded issues with one of the poles and also being close to the airport runway, meeting FAA regulations. Commissioner Walton moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

C. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-227. A RESOLUTION OF THE BOONE COUNTY FISCAL COURT GRANTING A PARKING AND ACCESS EASEMENT ACROSS A PORTION OF COUNTY OWNED PROPERTY, FORMERLY EXISTING AS A PLATTED RIGHT OF WAY AT THE WEST END OF JEFFERSON STREET (TEMPERATE STREET) IN BURLINGTON, KENTUCKY. Jeff Earlywine, County Administrator, explained this is a cleanup matter before the Court concerning a vacated right of way. The Owners did all that was necessary for vacating the property, there was some confusion as to who owned this small section, the Boone County Fairgrounds or the County. Judge Moore commented the County will be conveying the easement to a great Boone County business. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

D. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-230. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT DECLARING CERTAIN VEHICLES AND EQUIPMENT AS SURPLUS PROPERTY AND AUTHORIZING THE SALE OF SAID VEHICLES AND EQUIPMENT. Judge Moore asked, Lisa Buerkley, Assistant County Administrator, to explain. Lisa Buerkley, Assistant County Administrator commented these are older vehicles that have been taken out of rotation. Kentucky Statute requires we surplus these vehicles which are usually sold at a live auction. Our new Fleet Supervisor, Billy Angel, has had some experience with Govdeals.com, which is an on-line auction/bid site for government vehicles and suggested we post these items on the site. Commissioner Flaig asked if we would advertise the items in the local paper. Scott

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Pennington, County Engineer commented Kenton and Campbell counties have used this site before with success. There was a discussion between Judge Moore, Lisa Buerkley and Commissioner Flaig about the bidding and prices. Lisa Buerkley commented the live auction at the fairgrounds in May and October will still be held. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

E. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-231. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING A SIX MONTH CONTRACT EXTENSION WITH SOUTHERN HEALTH PARTNERS FOR MEDICAL SERVICES PROVIDED AT THE BOONE COUNTY JAIL. Judge Moore explained this Contract extension is for the health care services provided to the inmates. Lisa Buerkley, Assistant County Administrator, explained that the services at the Jail were initially bid in 2010. There have been several one-year extensions and the Contract is scheduled to be rebid. The better timing option to rebid would be June 1st instead of January 1st. This is for a 6 month extension to get on a fiscal year. Southern Health Partners provides a doctor and nurse on staff at the jail. The County is required to go to electronic medical records. Commissioner Flaig asked a question pertaining to the medical personnel staffing to which Jeff Earlywine, County Administrator commented. Judge Moore asked about software/hardware costs for switching to electronic medical records. Lisa Buerkley explained. A discussion was held pertaining to a different company bidding at midyear. Jeff Earlywine commented the Jail wants to demonstrate to the federal inspectors we are in compliance with electronic medical records. Lisa Buerkley stated Federal auditors suggest we have electronic medical records and that they coordinate with the jail tracker system. Commissioner Flaig questioned not voting. Commissioner Kenner commented about the auditors requiring it. Judge Moore added that the Jail operates in the black and we do not want to jeopardize them for only 6 months, we should proceed with the specs to rebid to other vendors. After more discussion 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

A. Judge Moore presented the Invoice Report dated December 15th and pre-paid Invoice reports dated December 3rd and December 10th. Commissioner Walton moved, seconded by Commissioner Kenner to approve the Invoice Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

B. Judge Moore presented the Golf Invoice Report dated December 5th and pre-paid golf invoices for December 3rd and December 10th. Commissioner Flaig moved, seconded by Commissioner Walton to approve the Golf Course Invoice Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

C. Judge Moore presented the Monthly Treasurer's and Interfund Transfer Report for November, 2015. Commissioner Kenner moved, seconded by Commissioner Walton to approve the Golf Course Invoice Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0

ITEM IX.

OLD BUSINESS

Judge Moore asked if there was any Old Business before the Court. Mr. Bernie Kunkel from Walton, Kentucky came to the podium and made comments on the Code Enforcement Ordinance. Judge Moore thanked him for his comments. Mr. Steven Fritz from Burlington asked to comment concerning the Code Enforcement Ordinance and asked how the government is going to handle people from foreign countries coming into the County. Judge Moore thanked him for his comments. Judge Moore stated the Code Enforcement Board is not on the agenda tonight. The second reading will be January 5th. The first reading was November 17th. There has been a lot of discussion and questions about the Ordinance. Judge Moore encouraged the public to read the Ordinance, if we find items we want to amend we can, it will make it easier for the public to have a process instead of the only option being going through the Courts.

ITEM X.

NEW BUSINESS

Judge Moore asked if there was any New Business before the Court, none presented.

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ITEM XI.

ADJOURNMENT

Judge Moore called for adjournment of the Fiscal Court Meeting. Commissioner Kenner moved, seconded by Commissioner Walton, to adjourn the meeting. ALL PRESENT VOTING AYE 4-0.

Next Fiscal Court Meeting – Tuesday, January 5, 2016 @ 5:30pm.

CLERK CERTIFICATION

I, Sharon Burcham, 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 15, 2015.

Fiscal Court Clerk

Date: _____