

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
July 19, 2016
5:30 P.M.

Planning Commission presented slides of the 57 acres to be developed. The applicant will modify the development to accommodate the interchange addition if needed. Judge Moore explained the status of the study and selection of the design firm for the Graves Road Interchange project and added this amendment gives the option for relocation of the development. Commissioner Flaig asked when the streets would be built. Judge Moore commented, would they be built ahead of time? Kevin Wall responded, the street construction would begin on the north end of the development. Jeff Earlywine, County Administrator, explained the entrance is off Graves Road. Commissioner Flaig asked if this was a continuation of Treetops? Kevin Wall responded. Judge Moore asked for any further questions and stated the second reading will be August 16th, 2016.

B. Judge Moore asked the Fiscal Court Clerk to read into the record the first reading of an Ordinance, Item V. B: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING A REQUEST OF LEE RICKEY (APPLICANT) FOR TERRI LIMBAUGH (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL ONE (SR-1) TO AGRICULTURAL ESTATE (A-2) FOR A 3.275 ACRE SITE GENERALLY LOCATED ON EAST BEND ROAD BETWEEN 8375 EAST BEND ROAD AND 8406 KELLY ROAD, AND ACROSS FROM 8496 EAST BEND ROAD, BOONE COUNTY, KENTUCKY. Kevin Wall, Planning Commission presented a site map of the 3.3 acres on East Bend Road and explained the request of the A2 zone for a pole barn. Judge Moore commented this is what the landowner wants and ask if there were any questions from the Court. Judge Moore added second reading will be August 16th, 2016.

C. Judge Moore asked the Fiscal Court Clerk to read into the record the first reading of an Ordinance, Item V. C: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING A REQUEST OF TIM FYDA (APPLICANT) FOR WFF INVESTMENTS, LLC (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN AN INDUSTRIAL ONE (I-1) ZONE 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/I-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. Mitch Light of Planning Commission presented slides explaining this was a change of concept to change the layout of a building to be built. There will be no gas pumps or body shop or painting. Jeff Earlywine, County Administrator, asked whether KYTC would be impacted in the future with the planned interchange reconstruction project. Mitch Light reported that KYTC had reviewed the plan and expressed no concerns for the current design. Judge Moore asked if there were any questions from the Court. Second reading will be August 16th, 2016.

D. Judge Moore asked the Fiscal Court Clerk to read into the record the first reading of an Ordinance, Item V. D: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, AUTHORIZING THE ISSUANCE OF UP TO \$150,000,000 INDUSTRIAL BUILDING REVENUE BONDS, SERIES 2016 (FEDEX GROUND PACKAGE SYSTEM, INC. PROJECT) OF THE COUNTY OF BOONE, KENTUCKY, THE PROCEEDS OF WHICH SHALL BE USED FOR THE PURPOSE OF FINANCING AN INDUSTRIAL BUILDING PROJECT TO BE LOCATED WITHIN THE COUNTY; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A SUPPLEMENTAL LEASE AGREEMENT BETWEEN THE COUNTY, AS LESSOR, AND FEDEX GROUND PACKAGE SYSTEM, INC., AS LESSEE, A SUPPLEMENTAL TRUST INDENTURE SECURING SUCH BONDS, A BOND PURCHASE AGREEMENT PROVIDING FOR THE NEGOTIATED SALE OF SUCH BONDS; AND AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS. Roger Peterman of the Bond Counsel was present. Jeff Earlywine, County Administrator, explained this project is under construction and they are not using the Kentucky Business Incentive. They will have 62 new full-time jobs with an average wage of \$50,000 and 378 part-time jobs. This is a significant capital investment for FedEx, half in real estate and half in tangible property inside the building. This is a tax exempt industrial revenue Bond with a P.I.L.O.T. Agreement. A Payment In Lieu Of Taxes in which all special taxing districts, such as schools and libraries, will be made whole and not lose any revenue. It has a duration of 7 years and its term will end at the same date as the original 20 year Bond. Roger Peterman stated there is no liability on the County to repay the debt. Judge Moore stated other companies want to locate near this company and it is a good project expanding here. Commissioner Flaig asked the size of the property. Jeff Earlywine responded it is at the end of Toebben Drive. Commissioner Kenner asked if there was a buffer. Jeff Earlywine responded the development is away from residences. Judge Moore asked for questions and stated the second reading would be August 16th, 2016.

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ITEM VI.

JUDGE'S REPORT

A. Judge Moore asked the Fiscal Court Clerk to read into the record Item VI. A: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING ADDIA WUCHNER AS REPRESENTATIVE OF THE KENTUCKY GENERAL ASSEMBLY TO THE NORTHERN KENTUCKY CONVENTION AND VISITORS BUREAU. Judge Moore explained this reappointment is for the Convention and Visitor's Bureau, the County has two (2) Representatives on the Board. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

B. Judge Moore asked the Fiscal Court Clerk to read into the record Item VI. B: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING SAL SANTORO AS REPRESENTATIVE OF THE COUNTY JUDGE/EXECUTIVE OFFICE TO THE NORTHERN KENTUCKY CONVENTION AND VISITORS BUREAU. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

C. Judge Moore asked the Fiscal Court Clerk to read into the record Item VI. C: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING JEFF FORLENZA TO THE UNION FIRE PROTECTION DISTRICT BOARD. Judge Moore commented this is a new appointment that was recommended by Commissioner Kenner. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

ITEM VII.

ADMINISTRATIVE MATTERS

A. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. A: RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AMENDING AND EXPANDING ITS CONTRACT AND SCOPE OF SERVICES WITH TUSA CONSULTING SERVICES REGARDING THE DESIGN OF A NEW PUBLIC SAFETY COMMUNICATION SYSTEM. Judge Moore explained this is for the new communication system and introduced Jim Staverman, Director of PSCC. Jim Staverman explained this is an expansion of the original Contract. It was TUSA's recommendation to do task 1 & 2 and work with the other Counties. The cost will be \$19,000 for the next phase. Judge Moore commented the other 2 counties have agreed to work together. This is not merging the 911 center but working together on radio towers and the communication system. Jim Staverman stated the time frame will be 30-45 days. Commissioner Flaig asked about trading in old equipment. Jim Staverman responded. Jeff Earlywine, County Administrator, stated the staff would be meeting to create an outline for reporting the funding options. The Court will have options in paying for the system. Judge Moore asked if there were any questions from the Court. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

B. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. B: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT COMMITTING TO PARTNER WITH THE CITY OF ERLANGER TO EXPLORE THE FEASIBILITY OF DEVELOPING A NEIGHBORHOOD PARK WITHIN THE CHERRY HILL SUBDIVISION STRADDLING THE BOONE AND KENTON COUNTY LINE. Judge Moore asked Commissioner Kenner to explain. Commissioner Kenner stated this is a subdivision with 500 houses located half in Boone County and half in Kenton County. The Swim Club has been bought and remodeled. Mr. Brian Collins, the owner approached the County and asked us to make a pocket park on an area next to the swim club. Work needs to be done on the property and the Erlanger City Council is interested. The land is donated and they are asking the County and City to each commit to \$5,000 for a feasibility study. Judge Moore commented the land will be donated for the County to develop a plan with the \$5,000 to study and evaluate the land. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

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C. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. C: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT ACKNOWLEDGING AND AFFIRMING THAT IT HAS NOR ASSERTS ANY CLAIM OR RIGHT OF CLAIM TO CERTAIN PLATTED, BUT UN-IMPROVED RIGHT-OF-WAY LOCATED ALONG STATE ROUTE 14-VERONA MUDLICK ROAD WITHIN THE RICE SUBDIVISION. Judge Moore stated this Resolution was tabled at a previous meeting. Jeff Earlywine, County Administrator, presented a map showing the property. Jeff Earlywine stated the County does not plan on using the property, the State of Kentucky agrees it does not belong to them; it is not claimed by anyone. This property is on the North side of Verona-Mudlick Road and not related to the Newman Tractor land. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

D. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. D: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT DECLARING CERTAIN VEHICLES, EQUIPMENT AND OTHER ITEMS AS SURPLUS PROPERTY IN THE PUBLIC WORKS DEPARTMENT. Judge Moore asked Scott Pennington, County Engineer, to explain. Scott Pennington stated this is a list of surplus vehicles, obsolete items not needed. 1 vehicle will be donated to the Boone County 4H Fair. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

ITEM VIII.

FISCAL MATTERS

A. Judge Moore presented the Invoice Report dated July 19th, 2016 and pre-paid Invoice Reports dated July 7th and July 15th, 2016. Commissioner Kenner moved, seconded by Commissioner Walton 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 July 19th, 2016 and pre-paid Golf Invoice Reports dated July 7th and July 15th, 2016. Commissioner Walton moved, seconded by Commissioner Flaig to approve the Golf 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 Reports dated June 30, 2016. Commissioner Kenner moved, seconded by Commissioner Walton to approve the Treasurer's and Transfer Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

ITEM IX.

OLD BUSINESS

A. Judge Moore informed the Court that the OpenGov.com program is up and running. It tracks expenditures and shows where our tax money is spent. Ben Reece, Treasurer, is giving a demonstration on how to navigate the program. Ben Reece showed OpenGov.com on the screen and demonstrated how to search and use the system explaining checks would be updated upon approval of the check run. Jeff Earlywine, County Administrator, commented every check for the last five (5) years would be visible. Commissioner Walton asked a question about cash entries. Ben Reece responded, it is a check register only, not available for cash at this time. Judge Moore and Commissioner Walton discussed cash entries. Jeff Earlywine commented on the process for cash and the internal controls in place. Judge Moore added this is a great transparency for local governments. Commissioner Walton agreed 100% the OpenGov.com program and wants to continue to look at cash money brought in. Judge Moore commented that cash processes can be presented at a future meeting and explained there are checks and balances now in place. Judge Moore invited the public to explore the OpenGov.com on the County's website.

ITEM X.

NEW BUSINESS

Judge Moore asked if there was any New Business to come before the Court. None presented.

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ITEM XI.

CLOSED SESSION

Judge Moore announced at this time the Court would go into Closed Session to discuss possible future acquisition of real property pursuant to KRS 61.810(b) and stated there would be no other active business when coming out of Closed Session. The County went into Closed Session at 6:45 PM. Commissioner Kenner moved, seconded by Commissioner Walton, to adjourn the Closed Session. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

ITEM XII.

ADJOURNMENT

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

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 July 19, 2016.



Fiscal Court Clerk

Date: 3 August 2016