

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
March 21, 2017
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 H. Flaig, Commissioner, District 1
Charles E. Kenner, Commissioner, District 2
Charlie Walton, Commissioner, District 3
Robert Neace, County Attorney

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

ITEM II.

APPROVAL OF MINUTES

A. Judge Moore presented the Minutes from the March 7, 2017 meeting for approval. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Minutes from the March 7, 2017 Fiscal Court Meeting, with no changes. Judge Moore called for a vote on the motion, MOTION PASSED AYE 4-0.

ITEM III.

PRESENTATIONS

A. Judge Moore stated 2017 is the year of planning. The County has three major plans, The Boone County Comprehensive Plan, the County-wide Transportation Plan and the Airport Update Plan. Attending this evening to present the Boone County Comprehensive Plan are Mr. Kevin Costello, Director of Planning Commission, Mr. Bob Jonas, GIS Specialist and Mr. Matt Becher, Rural/Open Space Planner. Mr. Jonas presented the long range master plan explaining they are requesting public participation and preparing to become digital based. He shared the goals and objections. Commissioner Kenner asked a question concerning the Transportation Plan. Mr. Jonas responded. Kevin Costello added they would be coordinating with all three plans at the same time. Commissioner Flaig asked if the Airport and/or Kenton County are involved? Kevin Costello responded they are working with the Airport staff and the surrounding counties. Judge Moore asked for any questions, none presented. Judge Moore thanked the Planning Commission staff for their presentation.

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ITEM IV.

PERSONNEL MATTERS

A. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV. A: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE APPOINTMENTS OF MOLLY NOEL AND JESSICA WENDELN BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, AS SEASONAL NEW HIRES FOR CONCESSIONS AT THE BOONE COUNTY GOLF COURSES. Lori Zombek, Director of Human Resources, stated all three of these Resolutions are for seasonal employees for the golf courses, Public Works and the Parks Department. The County is ramping up with seasonals. Judge Moore added the seasonal positions are part time and provide no benefits. Commissioner Walton 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 IV. B: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT OF VICTOR ROBINSON, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, AS A SEASONAL RE-HIRE TO THE POSITION OF SOLID WASTE TECHNICIAN FOR THE SOLID WASTE DIVISION OF THE PUBLIC WORKS DEPARTMENT. Judge Moore commented, these are also seasonal employees. 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.

C. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV. C: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT OF SEASONAL NEW HIRES AND SEASONAL RE-HIRES FOR CONCESSION STAFF, PROGRAM LEADERS AND SEASONAL MAINTENANCE BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, FOR THE BOONE COUNTY PARKS DEPARTMENT. Judge Moore stated these are again seasonal positions. 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.

ITEM V.

ORDINANCES

A. Judge Moore stated the Court has new information for this Ordinance reviewing on September 20th, 2016 the Court approved an MOU to work with the neighboring counties to price a new 911 communication system. On December 6th, 2016 the Court presented three options for funding; property tax, a dwelling fee or an insurance premium option. During the months of December and January, 2017 we have visited out in the community. On February 7th, 2017 we discussed a blend and lowering the rate. On March 7th Option #2 was chosen with an insurance premium blend. The Staff has looked for savings and reductions and zeroed in on the dwelling fee. Judge Moore explained the Ordinance process and stated that the input from the community lead to Option #2 which was the dwelling fee. Jeff Earlywine gave a recap of the Ordinance that was being presented stating it was modeled after the Campbell County Ordinance. The Ordinance states an \$88 dwelling fee per year. The Ordinance includes a sunset cost of \$13.00 to underwrite the debt service. This is a fee not a tax. The fee will be collected on your property tax bill effective July 1, 2018. There will be a citizen Appeal Board established. The second option would be a \$75 annual fee to operate the 911 Center with \$1M from the general fund in the budget to PSCC; \$1.5M from the general fund due to a good budget year with \$1.5M from reserve funds, totaling \$4M. The remaining \$2M would come from excess reserves. This would enable the Court to pay cash for the new communication system. Our policy is to keep 25% of our total annual

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receivables in reserve for emergencies. Another change would be to change the annual fee from \$88 down to \$75 and eliminate the sunset portion. Judge Moore explained the sunset provision stating at a certain point the cost goes away, that would be the \$13 portion for the radio system. Judge Moore explained the future growth and prospect of more dwellings creating a growth in revenue adding that the fee could go down and clarifying the fee is only for 911 dispatch. Discussion was had regarding road projects. Jeff Earlywine added uncommitted funds will be used and not delay current projects. The landline fee will go away. Commissioner Walton asked a question regarding the landline fee to which Jeff Earlywine responded. Jeff Earlywine added 90% of all calls to 911 are made from cell phones. Judge Moore explained the cell phone tax that is paid to the State. Commissioner Flaig asked what the total cost of the system would be. Jeff Earlywine responded that bids are in final stages, two vendors are still in the bid process. Judge Moore stated the process has worked, we are negotiating with bidders to reduce the costs and we will have the final dollar amount before we vote on the funding. To review, the first Option would be \$75 dwelling fee with \$13 to cover the costs of the new communication system, it would be borrowing the money for a period of ten years. Option #2 the money would be paid up front for the communication system and \$75 dwelling fee to operate and maintain the 911 center, replacing the current landline fee. Commissioner Flaig asked about start-up money. Judge Moore responded a turn-key expense. Judge Moore asked for guidance from the Court to proceed on which option. Commissioner Kenner made the Motion to replace the Ordinance on the Agenda with the Option #2 Ordinance including the \$75 flat fee. Commissioner Walton seconded the Motion. Judge Moore commented on new homes approved and the timeline of when they would be built. Jeff Earlywine explained the forecasting and \$75. Commissioner Walton made a comment. Judge Moore explained the reserves in the Budget due to being conservative year after year with taxpayers' money. The fee will create a sustainable funding source for the future but does not produce extra revenue. Commissioner Flaig asked about the reserve fund, Jeff Earlywine responded with explaining the need to keep our Bond rating. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

Judge Moore asked the Fiscal Court Clerk to read into the record the First Reading of AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT ESTABLISHING A SERVICE FEE FOR ENHANCED 911 EMERGENCY DISPATCH SERVICES TO OWNERS OF REAL PROPERTY IN BOONE COUNTY, KENTUCKY. Judge Moore stated the second reading will be April 18th along with selecting the vendor and awarding the project bid.

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 AUTHORIZING THE APPOINTMENT BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF BARBARA HILL TO FILL THE UNEXPIRED TERM OF CURT BESSETTE ON THE BOONE COUNTY PUBLIC LIBRARY BOARD OF TRUSTEES. Judge Moore stated Ms. Hill is a retired teacher and is in the audience tonight. Mr. Bessette has passed away and we send our condolences to the family. Commissioner Walton moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

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ITEM VII.

ADMINISTRATIVE MATTERS

A. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. A: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE TO EXECUTE A MEMORANDUM OF AGREEMENT BETWEEN THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET AND THE BOONE COUNTY FISCAL COURT FOR THE FUNDING OF THE DESIGN WORK FOR A MULTI-MODUL PATH ALONG KY 237 IN BOONE COUNTY. Scott Pennington, County Engineer, explained these funds are from OKI. It will be a multi-use path 10ft wide from Stephens Elementary to KY 20, including Cougar Path, bringing a lot of sidewalks together. This is to proceed with the design work. Judge Moore stated these are federal funds. A question from the audience asked about lighting. Judge Moore responded. Commissioner Flaig commented that businesses do some lighting. Commissioner Walton added that proper lighting is needed. Judge Moore commented with spending reserves, we will have to look at lighting later. 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 OF THE BOONE COUNTY FISCAL COURT AWARDING BIDS AND AUTHORIZING THE PURCHASE OF VEHICLES FOR THE BOONE COUNTY SHERIFF'S DEPARTMENT FOR FISCAL YEAR 2018. Jeff Earlywine, County Administrator, explained that Billy Angel, Fleet Manager, sent out bids for 16 marked SUV vehicles and 5 investigative unmarked vehicles. We had five vendors submit bids. These vehicles will be in next years' budget. Commissioner Walton moved, seconded by Commissioner Kenner, 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 VII. C: A RESOLUTION OF THE FISCAL COURT OF THE COUNTY OF BOONE, KENTUCKY (THE "COUNTY"), AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY AND THE KROGER CO. (THE "COMPANY") RELATING TO THE ACQUISITION, CONSTRUCTION, EQUIPPING AND INSTALLATION OF AN INDUSTRIAL PROJECT TO BE LOCATED IN THE COUNTY (THE "PROJECT"); AGREEING TO UNDERTAKE THE ISSUANCE OF INDUSTRIAL BUILDING REVENUE BONDS AT THE APPROPRIATE TIME TO PAY THE COSTS OF ACQUIRING, CONSTRUCTING, EQUIPPING AND INSTALLING SAID PROJECT AND FACILITIES; AND TAKING OTHER PRELIMINARY ACTION. Judge Moore stated that Kroger purchased a building in Boone County to use as a distribution center. The capital investment will be \$60M. Members of the Bond Counsel are in attendance. Jeff Earlywine, County Administrator explained they will be tax exempt revenue bonds and not involve KBI credits. Judge Moore added there will be 100 new workers hired at the beginning with additional employees later. 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 March 21st, 2017 and pre-paid Invoice Reports dated March 10th and March 17th, 2017. Commissioner Flaig 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.

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Judge Moore reminded the audience that all fiscal matters can be reviewed on our website at OPENGOV.com.

B. Judge Moore presented the Golf Invoice Report dated March 21st, 2017 and pre-paid Golf Invoice Reports dated March 10th, and March 17th, 2017. Commissioner Kenner moved, seconded by Commissioner Walton 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 Report for February, 2017. Commissioner Kenner moved, seconded by Commissioner Walton to approve the Monthly Treasurer's and Interfund Transfer Report for February, 2017. 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 to come before the Court. Mr. Brett Gasper from Walton stated he was in opposition to the 911 fee. Judge Moore explained the Court was not accepting comments from the First Reading of the Ordinance.

ITEM X. **NEW BUSINESS**

Judge Moore asked if there was any new business to come before the Court, none presented.

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. Judge Moore announced the next meeting will be April 4th, 2017.

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 March 21, 2017.



Fiscal Court Clerk

Date: 5 April 2017