

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
January 5, 2016
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. Commissioner Cathy Flaig 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
Gwen Vice, Assistant County Attorney

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

ITEM II. **APPROVAL OF MINUTES**

Commissioner Walton moved, seconded by Commissioner Flaig, to approve the Minutes from the December 15, 2015 meeting with no corrections. Judge Moore called for a vote on the motion, MOTION PASSED (4-0).

ITEM III. **PRESENTATIONS**

None at this time.

ITEM IV. **PERSONNEL MATTERS**

None at this time.

ITEM V. **ORDINANCES**

A. Judge Moore asked the Fiscal Court Clerk to read into the record the first reading of an Ordinance. AN ORDINANCE OF BOONE COUNTY FISCAL COURT, KENTUCKY, RELATING TO A CREDIT OF ITS OCCUPATIONAL LICENSE FEE FOR NEW EMPLOYEES AS PART OF AN ECONOMIC DEVELOPMENT PROJECT BY ALLTRISTA PLASTICS LLC UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM (KRS 154.32-010--KRS 154.32-100). Jeff Earlywine, County Administrator explained this involves granting an economic development project, a company that does plastic injection molding. The Company is investing \$7M to set up initial operations; providing 22 new Kentucky jobs at a salary range of \$48K annually. They have the same parent company as U.S. Playing Cards. The second reading will be February 2, 2016. Commissioner Flaig asked when the company would be open. Jeff Earlywine responded, they are open now.

B. Judge Moore stated the next Ordinance on the Agenda is the reason our audience is here; to allow the Court more time to hear from the audience, we will complete other items on the Agenda first. No objections were made from the Court.

ITEM VI. **JUDGE'S REPORT**

- A. None at this time.

ITEM VII. **ADMINISTRATIVE MATTERS**

A. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 16-01. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE TO EXECUTE AN AGREEMENT BETWEEN THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET AND THE BOONE COUNTY FISCAL COURT FOR THE FUNDING OF THE FROGTOWN ROAD SIDEWALK PROJECT. Judge Moore explained this project is near the Ryle High School. Scott Pennington, County Engineer, stated this project is funded by TA Funds from 2013. It will be a 5 foot sidewalk on the south side of Frogtown Road. 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.

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B. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 16-02. A RESOLUTION OF INDUCEMENT OF THE COUNTY OF BOONE, KENTUCKY INDICATING INTENT TO ISSUE INDUSTRIAL BUILDING REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION, INSTALLATION AND EQUIPPING OF AN INDUSTRIAL BUILDING PROJECT IN THE COUNTY OF BOONE, KENTUCKY. Judge Moore commented this is an exciting, large project for Boone County. Jeff Earlywine, County Administrator, explained this is an expansion of Fed Ex facility with tax exempt bonds. \$150M initial investment. The expansion provides 62 full time jobs and over 378 part-time jobs. The Agreement will include a Pilot Agreement, extending for an additional approximate 7 or 8 year period. The County and State will give up 80% of new ad valorem taxes, all other taxing districts will be held harmless. The County will capture all of the new payroll tax. Commissioner Flaig asked a question. Jeff Earlywine explained the details on the Bond documents will be forthcoming. Judge Moore asked if there were any other questions, none asked. 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 No. 16-03. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDED THE BID FOR A RECORDS MANAGEMENT SYSTEM FOR THE PUBLIC SAFETY COMMUNICATIONS CENTER (PSCC) TO PROSOURCE. Jeff Earlywine, County Administrator, commented the Staff has made a recommendation for a new records management system. Jim Staverman, Director of PSCC explained the need to digitize records and they have looked at different options. It was put out to bid and ProSource was the only bidder. Jeff Earlywine commented the bid price was \$139,391 and the County had \$150,000 planned in the budget. A question was raised from the audience to which Jim Staverman responded. 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.

D. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 16-04. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT ACCEPTING THE REPORT OF THE AUDIT OF THE BOONE COUNTY CLERK FOR THE YEAR ENDING DECEMBER 31, 2014. Judge Moore explained that budgets are audited on an annual basis and this is a Resolution to accept the audit report for the County Clerk. Jeff Earlywine, County Administrator commented this was a clean audit report. 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.

E. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 16-05. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING AN AGREEMENT WITH OPENGOV, INC., TO PROVIDE FINANCIAL REPORTING SERVICES FOR THE COUNTY'S WEB PAGE. Judge Moore explained this program will give the public full access to County information. Jeff Earlywine, County Administrator, commented the County wants to improve our transparency. This product is web based and fully interactive. Boone will be the first County in Kentucky to use this program that gives real time updated access to County financial information. There is a \$9,000 annual license fee and a 1 time set up fee @ \$2500 - \$3000. There is money in the budget to support this. Commissioner Walton commented he attended the presentation and liked the product. Commissioner Flaig asked a question, Judge Moore answered it is a subscription cost. Jeff Earlywine stated it will renew annually. Commissioner Flaig asked if the County would be locked into a Contract. Jeff Earlywine answered no.

Returning to ITEM V.

B. Judge Moore stated we would defer the second reading of the Ordinance and the Court would not be voting tonight. This is an important Ordinance and we have been listening to the public. Matthew Webster, Assistant County Administrator, gave a brief overview of the Ordinance and explained the County was to assist citizens having issues with blight and not have to go through litigation. Judge Moore commented something needs to be done; we have heard from different groups and are trying to be open. First, we have no power to violate the constitution; we cannot enter homes without permission or a Court Order. Concerning farming, there is a right to farm ordinance and ten (10) acres or more are exempt, this is for subdivisions and other areas. There are 80,000 people living in unincorporated Boone County. If you file a Schedule F, you could be exempt. Some items will be eliminated. No additional employees will be added. It will be complaint driven. Judge Moore explained the steps going through when a citizen complaints and why we want to use a Code Enforcement Board instead of going through District Court. Kentucky Statute gives requirements and training guidelines for Code Enforcement.

Mayor Carnahan of the City of Walton was in attendance and commented the City of Walton started a Code Enforcement Board due to many complaints received. The City of Walton needs a complaint driven tool. The City of Walton is interested in what the County does.

Mayor Solomon of the City of Union shared that the City of Union uses Planning and Zoning for issues. He supports the idea of a Code Enforcement Board.

Judge Moore commented the City of Florence has their own Board. He would open the floor for comments at this time.

Members of the audience that commented:

1. Mary Dungerly
2. Mike Bruggemann
3. Michael Butler - Walton
4. Roger Braden, attorney representing the Nixon farm on Bullittsville Road.
5. Mary Baynum - Petersburg Road
6. Linda Whittenburg - Burlington Business
7. Don Rickert - Walton
8. Steve White - Feeley Road
9. Larry Kunkel - Union
10. Karen Hauschild - Oakbrook
11. Terry Phillips - Union

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12. Tom Wilson
13. Kris Suez – Burlington
14. Rick Estes – Petersburg
15. William Kirby – Burlington
16. Mike Cassidy – Burlington
17. Billy Rehkamp – Florence
18. Bob Boswell –
19. Dave Pattison – Graves Road, Hebron
20. Paul Vesper –
21. Karen Lonkard –
22. Sandy Ascere – Boone County.
23. Kenny Williamson – Rabbit Hash
24. James Duvall –
25. Roena Moore –
26. Tom Rogers – Bullittsville
27. Greg Ruhl – Rabbit Hash
28. John Hymar – Union
29. Jeff Horianger –
30. Kathleen Chapman –

Judge Moore allowed the audience to leave at this time.

ITEM VIII.

FISCAL MATTERS

A. Judge Moore presented the Invoice Report dated January 5th, 2016 and pre-paid Invoice reports dated December 17th, December 22nd and December 31st, 2015. Commissioner Kenner moved, seconded by Commissioner Flaig 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 January 5th, 2016 and pre-paid golf invoices for December 17th and December 22nd, 2015. 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.

ITEM IX.

OLD BUSINESS

Judge Moore asked if there was any Old Business to come before the Court. Janet Garbeit made comments about the MOA for the Old Burlington Cemetery; she wanted to set the record straight.

ITEM X.

NEW BUSINESS

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

ITEM XI.

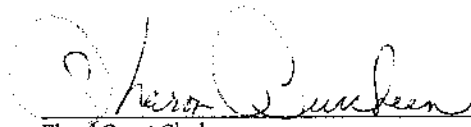
ADJOURNMENT

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

Next Fiscal Court Meeting will be Tuesday, January 19, 2016 with a Special Caucus Meeting to be held on January 12, 2016, regarding County golf courses.

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 January 5, 2016.



Fiscal Court Clerk

Date: 20 January 2016