

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**February 21, 2012**  
**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  
Matt Dedden, Commissioner, District 1  
Charles E. Kenner, Commissioner, District 2  
Charlie Walton, Commissioner, District 3  
Gwen Vice, Assistant County Attorney

Staff: Ben Reece, Finance Director  
Ben Huff, Sheriff's Department  
Greg Sketch, County Engineer  
Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive  
Lisa Buerkley, Assistant County Administrator  
Daphne Kornblum, Fiscal Court Clerk

**ITEM II.**

**APPROVAL OF MINUTES**

Commissioner Kenner moved, seconded by Commissioner Dedden, to approve the Minutes from the meeting of February 7, 2012. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

**ITEM III.**

**PRESENTATIONS**

Andrew Aiello with TANK presented the mid-year update. Judge Moore made comments and asked a question to which Andrew Aiello responded.

**ITEM IV.**

**PERSONNEL MATTERS**

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 12-12, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING SEASONAL RE-APPOINTMENTS AT THE GOLF COURSES. Lisa Buerkley, Assistant County Administrator and Judge Moore made comments. Commissioner Dedden 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 12-13, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING SEASONAL APPOINTMENTS AND RE-APPOINTMENTS FOR THE PRO SHOP AT THE GOLF COURSES. Lisa Buerkley made comments. 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.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 12-14, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPOINTING LANA VINES TO A SEASONAL PART TIME POSITION IN THE HUMAN RESOURCE DEPARTMENT. Lisa Buerkley made comments. Commissioner Walton asked a question to which Lisa Buerkley and Judge Moore responded. Commissioner Walton moved, seconded by Commissioner Dedden, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

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**ITEM V.**

**ORDINANCES**

Judge Moore asked the Fiscal Court Clerk to read into the record the second reading, AN ORDINANCE RELATING TO APPROVAL OF TEXT AMENDMENTS TO THE BOONE COUNTY ZONING REGULATIONS, SUCH AMENDMENTS TO BE MADE TO ARTICLE 35 "TEMPORARY COMMERCIAL DISPLAYS, SEASONAL TEMPORARY COMMERCIAL DISPLAYS, TEMPORARY STORAGE TRAILER PERMITS AND TEMPORARY USE PERMITS. Jeff Earlywine, County Administrator, Judge Moore and Commissioners Walton, Dedden and Kenner made comments to not act on this ordinance at this time. Commissioner Walton moved to indefinitely table the ordinance, seconded by Commissioner Kenner. 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 the second reading of Ordinance 12-03, AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT REPEALING IN ITS ENTIRETY CHAPTER 71 OF THE BOONE COUNTY, KENTUCKY CODE OF ORDINANCES AND ADOPTING A COMPREHENSIVE BODY OF ORDINANCES FOR VEHICLES STOPPED, PARKED OR LEFT STANDING ON OR OVER ANY COUNTY ROAD, STREET OR RIGHT OF WAY AND FOR VEHICLES STOPPED, PARKED OR LEFT STANDING ON OR OVER ANY COUNTY OWNED OR MAINTAINED PARKING LOT OR SPACE. Jeff Earlywine and Commissioner Walton made comments. Jeff Smith, citizen, asked questions to which Josh Quinn, Sheriff's Department, Rob Reuthe, Sheriff's Department and Jeff Earlywine responded. Judge Moore made a comment. Commissioner Kenner moved to approve the ordinance, seconded by Commissioner Walton. 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 the second reading of Ordinance 12-04, AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT CREATING A PARKING VIOLATION HEARING BOARD TO PROVIDE DUE PROCESS AND AN EQUITABLE, EXPEDITIOUS, EFFECTIVE AND INEXPENSIVE METHOD OF INSURING COMPLIANCE WITH AND ENFORCEMENT OF COUNTY ORDINANCES FOR VEHICLES STOPPED PARKED OR LEFT STANDING ON OR OVER ANY COUNTY ROAD, STREET OR RIGHT OF WAY AND FOR VEHICLES PARKED OR LEFT STANDING ON OR OVER ANY COUNTY OWNED OR MAINTAINED PARKING LOT OR SPACE. Jeff Earlywine and Judge Moore made comments. Commissioner Dedden moved to approve the ordinance, seconded by Commissioner Walton. 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 the second reading of Ordinance 12-05, AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT, PROVIDING FOR A CREDIT OF ITS OCCUPATIONAL LICENSE FEE FOR NEW EMPLOYEES AS PART OF AN ECONOMIC DEVELOPMENT PROJECT BY DHL EXPRESS (USA), INC. UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM (KRS 154.32-010-KRS 154.32-100). Judge Moore made comments. Jeff Smith, Citizen, asked questions to which Dan Tobergte, Tri-ED and Judge Moore responded. Judge Moore made comments. Commissioner Walton asked a question to which Dan Tobergte and Jeff Earlywine responded. Commissioner Kenner made comments. Mr. Gray, DHL representative, made comments. Commissioner Walton moved to approve the ordinance, seconded by Commissioner Kenner. 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 the second reading of Ordinance 12-06, AN ORDINANCE RELATING TO THE COUNTY OF BOONE, KENTUCKY AMENDING ORDINANCE 06-14, ADOPTED ON OCTOBER 3, 2006, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION PUBLIC PROJECT BONDS, SERIES 2006B IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$7,000,000; APPROVING A FORM OF BOND; AUTHORIZING DESIGNATED OFFICERS TO EXECUTE AND DELIVER THE BONDS; PROVIDING FOR THE PAYMENT AND SECURITY OF THE BONDS; CREATING A BOND PAYMENT FUND; MAINTAINING A SINKING FUND; AUTHORIZING

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ACCEPTANCE OF THE PROPOSAL OF THE PURCHASER OF THE BONDS; AND REPEALING INCONSISTENT ORDINANCES. Jeff Earlywine made comments. Commissioner Kenner moved to approve the ordinance, seconded by Commissioner Walton. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

**ITEM VI.**

**JUDGE'S REPORT**

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 12-15, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING JILL JAMES TO FINISH THE UNFULFILLED TERM OF ROBIN BRUNKER, IN THE FIREFIGHTER POSITION, ON THE FLORENCE FIRE PROTECTION DISTRICT BOARD. Judge Moore made comments. Commissioner Walton moved, seconded by Commissioner Dedden, 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 12-16, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING CHIEF DAN HITZFIELD AS THE BOONE COUNTY FIRE CHIEF ASSOCIATIONS REPRESENTATIVE ON THE PSCC BOARD. Judge Moore made comments. 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.

**ITEM VII.**

**ADMINISTRATIVE MATTERS**

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 12-17, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING AND DIRECTING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE TO SUBMIT TO THE KENTUCKY DEPARTMENT FOR LOCAL GOVERNMENT AN APPLICATION FOR \$250,000 IN RECOVERY KENTUCKY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR THE RECOVERY KENTUCKY PROJECT IN BOONE COUNTY. Lisa Buerkley and Judge Moore made comments. Commissioner Walton asked a question. Commissioner Kenner and Judge Moore made comments. Commissioner Dedden asked a question to which Lisa Buerkley and Judge Moore responded. Jeff Smith, Citizen, asked a question to which Lisa Buerkley and Judge Moore responded. Commissioner Walton requested more information regarding the performance of the Kentucky Recovery Program. The staff committed to provide this information. Commissioner Kenner moved, seconded by Judge 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 12-18, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDDING THE BIDS FOR CONTRACT MOWING FOR THE BOONE COUNTY PARKS DEPARTMENT. David Whitehouse made comments. Commissioner Dedden and Judge Moore asked questions to which David Whitehouse responded. Commissioner Dedden moved, seconded by Commissioner Walton, 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 12-19, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDDING THE BIDS FOR THE BOONE COUNTY PARKS TENNIS PROFESSIONALS TO FAMILY TENNIS ACADEMY, MANNY IGLESIAS, AT BOONE WOODS AND RED TOP DOG TENNIS, TAMMY ANDERSON, AT CENTRAL PARK. David Whitehouse made comments. Commissioners Walton and Dedden asked questions to which David Whitehouse responded. Judge Moore made comments. Commissioner Walton asked a question to which David Whitehouse responded. Jeff Earlywine made comments. Commissioner Dedden asked a question

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to which David Whitehouse responded. Manny Iglesias, Family Tennis Academy made comments. Commissioner Dedden made comments and asked a question to which David Whitehouse responded. Judge Moore asked a question to which David Whitehouse responded. Commissioner Kenner moved, seconded by Commissioner Dedden, 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, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDING THE BID TO PURCHASE A NEW GREENS MOWER FOR THE GOLF COURSE TO CENTURY EQUIPMENT. Lisa Buerkley made comments. Commissioner Dedden asked a question to which Lisa Buerkley responded. Commissioner Walton asked a question to which Jeff Earlywine responded. Commissioner Dedden made a motion to table the resolution, seconded by Commissioner Walton. Commissioner Walton asked a question to which Lisa Buerkley responded. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

**ITEM VIII.**

**FISCAL MATTERS**

Commissioner Walton moved, seconded by Commissioner Dedden, to approve Invoice Report (2-21-12) and pre-paid invoice report dated (2-7-12). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Kenner moved, seconded by Commissioner Walton to approve Golf Course Invoice Report (2-21-12) and pre-paid Golf Course invoice report dated (2-9-12). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Jeff Earlywine presented the Second Quarter FY 2012 Budget Report. Judge Moore made a comment.

**ITEM IX.**

**OLD BUSINESS**

Jeff Smith, Citizen, made comments about the DHL ordinance. Commissioner Dedden asked a resident if there was any update on the Sherwood Lake issue. The resident indicated there was none.

**ITEM X.**

**NEW BUSINESS**

Jerome Sigh, citizen, commented on the Mall Road Project and asked questions to which Greg Sketch stated he would send Mr. Sigh's questions to District 6, since they were handling the project. Judge Moore spoke about the Three County Fiscal Court Meeting on 2/23/12 @ 6:45pm at the NKU Student Center.

**ITEM XI.**

**ADJOURNMENT**

Commissioner Dedden moved, seconded by Commissioner Kenner, to adjourn the meeting, ALL PRESENT VOTING AYE (4-0).

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CLERK CERTIFICATION

I, Daphne Kumbalum, 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 February 21, 2012.

Daphne Kumbalum  
Fiscal Court Clerk

Date: 3/14/12