

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**March 11, 2014**  
**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  
Robert Neace, County Attorney

Staff: Ben Reece, Finance Director  
Les Hill, Sheriff's Department  
Scott Pennington, 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 Walton moved, seconded by Commissioner Dedden, to approve the Minutes from the meeting February 18, 2014. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

**ITEM III.**

**PRESENTATIONS**

Judge Moore read and presented a proclamation for "Ockerman Middle School Cheerleader Day."

**ITEM IV.**

**PERSONNEL MATTERS**

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 14-17, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING VARIOUS SEASONAL APPOINTMENTS AND RE-APPOINTMENTS IN THE BOONE COUNTY PARKS AND ARBORETUM DEPARTMENT. 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.

**ITEM V.**

**ORDINANCES**

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 APPROVING, WITH CONDITIONS, A REQUEST OF BRANDICORP, LLC C/O VIOX & VIOX (APPLICANT) FOR LPF CORPORATION (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT ZONE FOR A 6.22 ACRE SITE GENERALLY LOCATED ON THE NORTHWEST CORNER OF THE HOUSTON ROAD / TED BUSHELMAN BOULEVARD INTERSECTION, AND TO THE SOUTH OF THE PROPERTY AT 5015 HOUSTON ROAD (FURNITURE FAIR), FLORENCE AND UNINCORPORATED BOONE COUNTY, KENTUCKY. Jeff Earlywine, County Administrator, advised the court that the City of Florence was in the process of annexing this parcel and not action by the county was necessary. Commissioner Walton made a motion to 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 first reading of AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT RELATING TO APPROVAL, WITH CONDITIONS, FOR A

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REQUEST OF INDUSTRIAL DEVELOPMENTS INTERNATIONAL (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN AN INDUSTRIAL ONE (I-1) ZONE FOR A 97.32 ACRE SITE LOCATED AT 11363 AND 11475 DIXIE HIGHWAY, BOONE COUNTY, KENTUCKY (PARK SOUTH AT RICHWOOD, PHASE 2). Kevin Wall, Planning & Zoning gave an overview of the ordinance. Second Reading will be held at the April 8, 2014 Fiscal Court Meeting.

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, KENTUCKY, PROVIDING FOR A CREDIT OF ITS OCCUPATIONAL LICENSE FEE FOR NEW EMPLOYEES AS PART OF AN ECONOMIC DEVELOPMENT PROJECT BY MCLANE FOODSERVICE UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM (KRS 154.32-010–KRS 154.32-100). Judge Moore and Jeff Earlywine made comments. Second Reading will be held at the April 8, 2014 Fiscal Court Meeting.

**ITEM VI.**

**JUDGE'S REPORT**

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 14-18, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING JAMES HORTON TO FINISH THE UNEXPIRED TERM OF WILL FOLTZ ON THE PETERSBURG FIRE PROTECTION DISTRICT 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 14-19, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE "PROPOSED PROJECT/EQUIPMENT PURCHASES DOJ EDWARD BYRNE MEMORIAL GRANT FY2014" FOR THE UPGRADE OF EMERGENCY LIGHTING FOR THE SHERIFF'S DEPARTMENT CRUISERS. Jeff Earlywine 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 14-20, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDDING THE BID FOR THE LEASE OF GOLF COURSE GROUNDS EQUIPMENT TO THE WOLF CREEK COMPANY. 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 14-21, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT SELECTING THE FIRM OF GRW ENGINEERS AS THE PREFERRED ENGINEERING FIRM FOR DESIGN SERVICES FOR THE VETERANS WAY PROJECT. Judge Moore, Scott Pennington, County Engineer, Jeff Earlywine and Warren Iulig, GRW 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 14-22, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDDING THE BID FOR THE TELECOMMUNICATIONS CONTRACT TO EXTREME BANDWIDTH TECHNOLOGIES, INC. (EBTI). Judge Moore and Mark Spicer, IS Director 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.

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Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 14-23, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE REQUEST TO RETAIN THE MANAGEMENT SERVICES OF ATKINS-ELROD & ASSOCIATES TO ASSIST THE COUNTY IN PLANNING, FINANCING AND MANAGING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR THE RECOVERY KENTUCKY CENTER. Lisa Buerkley and 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.

**ITEM VIII.**

**FISCAL MATTERS**

Commissioner Kenner moved, seconded by Commissioner Dedden, to approve Invoice Report (3-11-14) and pre-paid invoice report (2-28-14) and (2-20-14). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Dedden moved, seconded by Commissioner Walton to approve Golf Course Invoice Report (3-11-14) and pre-paid invoice report (2-28-14) (2-20-14). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Walton moved, seconded by Commissioner Kenner to approve the Monthly Financial Report and Interfund Transfer for January. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

**ITEM IX.**

**OLD BUSINESS**

Judge Moore made comments about the Hebron Sewer Study. Jeff Earlywine gave an overview and made comments on Hebron Sewer Study Committee Report. The Fiscal Court Clerk read the recommendations from the Sewer Study Report. Judge Moore and Commissioner Walton asked a question to which Brian Miller and John Toebben, Hebron Sewer Study Committee Members, responded. Commissioner Kenner made a motion, seconded by Commissioner Walton in support of the recommendations made by the Hebron Sewer Study Committee. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Dedden asked the Fiscal Court to move the second reading of AN ORDINANCE RELATING TO BOONE COUNTY FISCAL COURT ADOPTING AND APPROVING AMENDMENTS TO ZONING REGULATIONS, INCLUDING TEXT AND ZONING MAP FOR BOONE COUNTY, KENTUCKY, THESE ZONING REGULATIONS, INCLUDING TEXT AND ZONING MAP, HAVING BEEN PREPARED AND NOW RECOMMENDED BY THE BOONE COUNTY PLANNING COMMISSION FOR ADOPTION PURSUANT TO THE PROVISIONS OF CHAPTER 100 OF THE KENTUCKY REVISED STATUTES TO UPDATE THOSE REGULATIONS FOR TIMELY AND APPROPRIATE IMPLEMENTATION OF THE 2010 BOONE COUNTY COMPREHENSIVE PLAN, that was scheduled for March 25<sup>th</sup> to April 8<sup>th</sup>, since he's unable to attend the March 25<sup>th</sup> Fiscal Court Meeting. Judge Moore asked a question to which Commissioner Dedden and Jeff Earlywine responded. All Fiscal Court members agreed to move the item to the April 8, 2014.

**ITEM X.**

**NEW BUSINESS**

Jeff Earlywine gave an overview on the ESG Energy Savings Project and the recommended elimination of Performance Guarantee Terms and Provisions. Judge Moore made comments. Commissioner Kenner made a motion, seconded by Commissioner Dedden to accept the elimination of Performance Guarantee Terms and Provisions. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

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Commissioner Dedden introduced an item not on the agenda and asked the Fiscal Court to vote in support of House Bill 407, stating the county's position on tolls for the Brent Spence Bridge. Commissioner Walton asked a question to which Commissioner Dedden responded. Judge Moore and Jeff Earlywine made comments. Commissioner Dedden made a motion in support of House Bill 407, seconded by Commissioner Walton. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

ITEM XI.

ADJOURNMENT

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

CLERK CERTIFICATION

I, Daphne Kornblum, 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 11, 2014.

Daphne Kornblum  
Fiscal Court Clerk

Date: 3/26/14