

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
March 26, 2013
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
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 Walton, to approve the Minutes from the meeting of March 12, 2013. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

ITEM III.

PRESENTATIONS

None at this time.

ITEM IV.

PERSONNEL MATTERS

None at this time.

ITEM V.

ORDINANCES

Judge Moore asked the Fiscal Court Clerk to read into the record the second reading of ordinance 13-07, AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, APPROVING, WITH CONDITIONS, A REQUEST OF MICHAEL R. KIRKWOOD AND CAROL W. KIRKWOOD (APPLICANTS) FOR CAROL WHITSON KIRKWOOD (OWNER) FOR A ZONING MAP AMENDMENT FROM AGRICULTURAL (A-1) TO AGRICULTURAL ESTATE (A-2) FOR A 36.3 ACRE SITE GENERALLY LOCATED ON THE NORTH SIDE OF WILLIAMS ROAD TO THE IMMEDIATE EAST AND NORTH OF THE PROPERTY AT 1246 MERRELL ROAD, AND APPROXIMATELY 360 FEET EAST OF THE WILLIAMS ROAD/MERRELL ROAD INTERSECTION, BOONE COUNTY, KENTUCKY. Robert Miller, citizen, and Judge Moore made comments. Bob Rothert, Abercrombie Associates, made comments. Commissioner Walton asked a question to which Greg Sketch, County Engineer, responded. Judge Moore and Jeff Earlywine, County Administrator made comments. Commissioner Walton asked a question to which Carol Whitson, Kirkwood, responded. Judge Moore asked a question to which Carol Whitson responded. Judge Moore made comments. Commissioner Dedden moved, seconded by Commissioner Kenner, to approve the ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
March 26, 2013
5:30 P.M.

Judge Moore asked the Fiscal Court Clerk to read into the record the second reading of ordinance 13-08, AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, APPROVING, WITH CONDITIONS, A REQUEST OF FLICK IGA LTD. (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN FOR AN 8.19 ACRE SITE LOCATED AT 1980 AND 1990 NORTH BEND ROAD, BOONE COUNTY, KENTUCKY. Judge Moore made comments. Bill Viox, representing the Flick family, made comments. Judge Moore asked a question to which Jeff Earlywine responded. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the ordinance. 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 RELATING TO THE BOONE COUNTY FISCAL COURT AMENDING ITS CODE OF ORDINANCES AND SPECIFICALLY SECTION 112.14 OF CHAPTER 112, REVISING THE REGULATIONS AND HOURS WHEN SALES OF ALCOHOLIC BEVERAGES ARE PERMITTED. Jeff Earlywine and Judge Moore made comments. Commissioner Walton asked questions to which Jeff Earlywine and Lisa Buerkley, Assistant County Administrator, responded. Judge Moore asked a question to which Lisa Buerkley and Jeff Earlywine responded. Lisa Buerkley made comments. Second Reading will be held at the April 23, 2013 Fiscal Court Meeting.

ITEM VI.

JUDGE'S REPORT

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 13-36, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING GREG STALEY TO THE BOONE COUNTY BUILDING INSPECTOR APPEALS BOARD. 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 13-37, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING PHYLLIS SPARKS TO FINISH THE UNEXPIRED TERM OF TERRY EDWARDS ON THE BOONE COUNTY BOARD OF ADJUSTMENT AND ZONING APPEALS. 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.

ITEM VII.

ADMINISTRATIVE MATTERS

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 13-38, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE BOONE COUNTY GOLF COURSES FEE SCHEDULE FOR THE 2013 YEAR. Judge Moore, Lisa Buerkley and Russ Gartner, County Golf Pro made comments. Commissioner Dedden asked questions to which Russ Gartner, Judge Moore and Lisa Buerkley responded. Jeff Earlywine, Lisa Buerkley and Russ Garner made comments. Commissioner Kenner moved, seconded by Judge Moore, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 3-1 (Judge Moore, Commissioners Kenner & Dedden – Aye, Commissioner Walton-Nay).

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 13-39, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDED THE BID FOR THE SAFE ROUTES TO SCHOOL (SRTS) SIDEWALK PROJECT ON THE NORTH SIDE OF BURLINGTON PIKE (KY 18) FROM ORIENT STREET TO DARLINGTON FARMS DRIVE TO LEN RIEGLER BLACKTOP, INC. Judge Moore and Greg Sketch made comments. Judge Moore asked a question to which Greg Sketch responded. Judge Moore made comments. Commissioner Dedden made comments and asked a question to which Greg Sketch and Judge Moore responded. Commissioner Walton moved, seconded by

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
March 26, 2013
5:30 P.M.

Judge 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 13-40, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AMENDING THE BUDGET TO ALLOCATE \$45,000 TOWARD THE ARCHAEOLOGICAL PHASE OF THE PETERSBURG WATER PROJECT. Adam Howard, Government and Community Relations Director, gave an overview of the project. Judge Moore made comments. Commissioners Walton and Dedden asked questions to which Michelle Bowlman, Viox & Viox, and Harry Annis, Boone County Water Department, Judge Moore and Commissioner Dedden and Walton asked questions to which Harry Annis responded. Commissioners Walton, Dedden, Judge Moore and Lisa Buerkley made comments. Commissioners Walton and Dedden asked questions to which Harry Annis responded. Judge Moore and Commissioner Dedden made comments. Commissioner Kenner asked a question to which Jeff Earlywine responded. Commissioner Kenner and Judge Moore made comments. Bill Remke, citizen made comments. Judge Moore and Commissioner Walton made comments. Harry Annis responded. Commissioner Walton and Dedden made comments. Adam Howard asked a question to which Harry Annis responded. Judge Moore made comments to which Michelle Bowlman responded. Commissioner Dedden asked a question to which Judge Moore, Michelle Bowlman and Adam Howard responded. Commissioner Walton, Judge Moore and Bill Remke made comments to which Harry Annis responded. Judge Moore asked questions to which Adam Howard and Matt Becher, Historic Preservation, responded. Pat Fox, Historic Preservation Board, made comments. Commissioner Dedden, Judge Moore and Commissioner Walton made comments. Commissioner Dedden asked a question to which Judge Moore responded. Judge Moore asked a question to which Commissioner Dedden responded. Judge Moore and Commissioners Kenner and Walton made comments. Commissioner Dedden asked a question to which Commissioner Kenner responded. Commissioner Walton made comments. Commissioner Kenner moved, seconded by Judge Moore, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 3-1 (Judge Moore, Commissioners Kenner & Walton – Aye, Commissioner Dedden-Nay).

ITEM VIII.

FISCAL MATTERS

Commissioner Walton moved, seconded by Commissioner Kenner, to approve Invoice Report (3-26-13) and pre-paid invoice report (3-14-13). 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 (3-26-13) AND PRE-PAID INVOICE REPORT DATED (3-14-13). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

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

Commissioner Kenner moved, seconded by Commissioner Walton to approve Fiscal Court Order #6, A Fiscal Court order of the Boone County Fiscal Court authorizing transfers in the amount of \$1,403,226 within the adopted Fiscal Year 2012-2013 Budget. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

ITEM IX.

OLD BUSINESS

Jeff Earlywine made comments correcting an earlier comment pertaining to the ABC Ordinance regarding Sunday sales hours when wine and distilled spirit drinks can be sold. Commissioner Walton asked for an

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
March 26, 2013
5:30 P.M.

update on the Aero Parkway parking area to which Jeff Earlywine responded. Commissioner Kenner made comments concerning the Northern Kentucky Health Department and its accreditation.

ITEM X.

NEW BUSINESS

Jeff Earlywine spoke about bids for the Sheriff's Department vehicles and requested Fiscal Court approval to proceed with the solicitation of bids. Commissioner Dedden moved, seconded by Commissioner Kenner. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Greg Sketch noted a National Award for the Aero Parkway Project regarding asphalt paving.

Judge Moore mentioned the Tri ED Thoroughbred Awards Luncheon and many of the companies that received awards did business in Boone County.

ITEM XI.

ADJOURNMENT

Commissioner Walton 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 26, 2013.

Daphne Kornblum
Fiscal Court Clerk

Date: 4/15/13