

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
May 5, 2015
5:30 P.M.

- A. Judge Gary W. Moore called to order the meeting of the Boone County Fiscal Court.
- B. Commissioner Cathy Flaig presented the Invocation and Pledge.

Present: Gary W. Moore, County Judge/Executive
Cathy 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
Lisa Buerkley, Assistant County Administrator
Ben Reece, Finance Director
Scott Pennington, County Engineer
Maj. Tom Scheben, Sheriff's Department
Sharon Burcham, Fiscal Court Clerk

Judge Moore welcomed a guest to Fiscal Court, Mr. Mike Harmon, State Representative who is running for State Auditor. Mr. Harmon introduced himself and thanked Judge Moore for letting him attend Fiscal Court.

ITEM II. APPROVAL OF MINUTES

- A. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the Minutes from the meeting of April 21, 2015. Judge Moore called for a vote on the motion, MOTION PASSED 4-0.

ITEM III. PRESENTATIONS

Judge Moore addressed the Court with the sad news of Judge Bruce Ferguson's passing. Judge Ferguson served many years and loved this County. He was Judge Executive from 1964-1982 his first term and then again from 1986-1992. Without his leadership the County would not be where it is today. His family is in our hearts and prayers. There will be a memorial service on June 14th, 2015 from 2:00-4:00 PM at his farm in Union. Commissioner Flaig commented we could spend hours talking about his personal achievements; the payroll tax was his creation and this building we are in. Judge Moore added and the golf course.

- A. Judge Moore read a Proclamation for the Kentucky Motorcycles Association emphasizing that Boone County has 6,700 licensed motorcycle riders. Mr. Keith Roberts was present and thanked the Court for this Proclamation and reminded the public to be aware of Motorcycles.

- B. Judge Moore presented a Proclamation for the Public Works Department for National Public Works Week. Mr. Scott Pennington was present to accept the Proclamation. It was noted the Proclamation needed corrections and will be presented at a later date.

- C. Judge Moore read a Proclamation for Building Safety Month and Mr. Jerry Noran, Chief Building Official accepted the Proclamation.

ITEM IV. PERSONNEL MATTERS

- A. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-56. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE APPOINTMENT OF CODY N. KAHMANN, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO THE SEASONAL POSITION OF ARBORETUM INTERN, IN THE BOONE COUNTY PARKS DEPARTMENT. Lisa Buerkley, Assistant County Administrator, explained these were seasonal appointments and the County would be reimbursed by the Contract with the Extension District. Judge Moore asked for any comments or questions, none asked. 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.

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B. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-57. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE APPOINTMENT OF MICHAELA A. MULLIKIN, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO THE SEASONAL POSITION OF ARBORETUM INTERN, IN THE BOONE COUNTY PARKS DEPARTMENT. Judge Moore asked for any discussion or questions, none presented. Commissioner Walton moved, seconded by Commissioner Flaig, 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 15-58. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE APPOINTMENT OF 7 SEASONAL EMPLOYEE NEW HIRES, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, AT THE BOONE COUNTY GOLF COURSES. Judge Moore commented these were seasonal positions. Lisa Buerkley, Assistant County Administrator, explained the positions were for the Concessions and the Pro Shop at the Golf Courses. 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 15-59. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE SEASONAL APPOINTMENT OF NEW HIRES AND REAPPOINTMENTS, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, AT THE UNION POOL IN THE BOONE COUNTY PARKS DEPARTMENT. Judge Moore asked for any discussion or questions, none presented. Commissioner Walton 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 15-60. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING 9 APPOINTMENTS BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, FOR SEASONAL POSITIONS IN THE PUBLIC WORKS DEPARTMENT. Judge Moore asked for any discussion or questions, none presented. 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.

ITEM V.

ORDINANCES

A. Nothing presented for First Reading.

A. Judge Moore asked the Fiscal Court Clerk to read into the record the second reading of Ordinance No. 15-09, 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 Groupon FULFILLMENT CENTER UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM (KRS 154.32-010--KRS 154.32-100). Jeff Earlywine, County Administrator, explained this company is located on Aviation Boulevard in Hebron. They are ready to activate their incentive from the State and County. Judge Moore asked for any questions or comments, none presented. 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.

B. Judge Moore asked the Fiscal Court Clerk to read into the record the second reading of Ordinance No. 15-10. AN ORDINANCE RELATING TO APPROVAL, WITH 1 CONDITION, FOR A REQUEST OF C&B SIGN SERVICES INC./STEVE CUPITO (APPLICANT) FOR KROGER LIMITED PARTNERSHIP INC. (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) ZONE FOR AN APPROXIMATE 17 ACRE SITE LOCATED AT 3105 NORTH BEND ROAD, BOONE COUNTY, KENTUCKY. Jeff Earlywine, County Administrator, explained this is a change of concept from the original development plan. The Little Clinic in Kroger did not exist on the original plan and they are coming back with a request to amend the original plan. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

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ITEM VI.

JUDGE'S REPORT

A. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-61. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING JIM KEY, JIM TITUS AND EUGENE WEBER AS REPRESENTATIVES AND RICK WILSON AS AN ALTERNATE REPRESENTATIVE TO THE BOONE COUNTY BUILDING INSPECTOR APPEALS BOARD. Judge Moore explained that this Board serves the Building Department for the County. Commissioner Flaig asked how many were on the Board. Judge Moore answered, there are 12 on the Board and they alternate. Commissioner Flaig asked how often they meet. Judge Moore asked Jerry Noran, Chief Building Inspector to approach the microphone and answer the questions. Mr. Noran replied the Kentucky Building Code specifies the background, and how many are on the Board. The Board meets when needed and they have an annual meeting. Commissioner Walton moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

B. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-62. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, APPOINTING ROD FUSSINGER TO THE BOONE COUNTY PVA ASSESSMENT APPEALS BOARD. Judge Moore commented this will be the first time for Mr. Rod Fussinger will serve on the Board. This Board is for residents to appeal assessments. Mr. Fussinger is a real estate agent who lives in Hebron and he does commercial real estate. He was recommended by the Board of Realtors. 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.

ITEM VII.

ADMINISTRATIVE MATTERS

A. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-63. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE RENEWAL AND EXTENSION OF AN EXSITING LEASE AGREEMENT WITH THE COMMUNITY ACTION COMMISSION FOR COUNTY PROPERTY AND A FACILITY LOCATED AT 3261 MAPLEWOOD DRIVE, BURLINGTON, KENTUCKY. Jeff Earlywine, County Administrator, explained the support information for this lease was in the packet. The current Lease expires in June of 2015. There is a small gym at the facility that the County uses for the Parks Department. There is a 5 year extension with a reduction in rent to \$2,000 per month; savings will be applied back into the program. Judge Moore commented that 6 years ago there was not a Head Start program in Boone County. Ms. Laurie Wolsing, the Head Start Director was present and presented copy of the Report to the Court and gave a brief explanation of the program. Each teacher was present and gave statistics. The Court is invited to the Open House showcasing the renovations to the facility that will be held May 28th from 5:00-7:00 PM. Thanks to the Court for allowing us to come today. Judge Moore thanked those present for all their work. Commissioner Flaig asked if all the students were Boone County residents. Answered, yes. 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.

B. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-64. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING A RENEWAL LEASE AGREEMENT FOR THE PLACEMENT OF DISPATCHING EQUIPMENT ON AN EXISTING TOWER LOCATED ON PRIVATE PROPERTY. Lisa Buerkley, Assistant County Administrator, explained this is for a cell tower owned by Mr. Larry Walton. The Lease is in 5 year increments. There is PSCC equipment on the tower. There rental is for \$13,800 annually, which is a small increase. The property owner had to have the tower stabilized; it is proposed as a 5 year lease with a 5 year renewal. The property is now owned by Larry Walton. Commissioner Walton asked a question, Lisa Buerkley, Assistant County Administrator answer that the tower is stable now with new concrete and cabling. Commissioner Walton moved, seconded by Commissioner Kenner, 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 15-65. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDDING THE BID FOR CONSULTING SERVICES AT THE BOONE COUNTY GOLF COURSES TO THE NATIONAL GOLF FOUNDATION (NGF). Judge Moore recognized the Golf Course employees present, Russ Gartner, Greg Bulmer and Justin Pack. Jeff Earlywine, County Administrator, explained this company does global reviews of golf courses. They will help as to where and how we can enhance our golf courses. The committee met and reviewed 8 proposals from companies all over the country. NGF is a non-profit association focusing on public courses. They presented the best value of all 8 proposals. The cost

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is a \$26,000 lump sum. Judge Moore stated there are 2 courses in Boone County, Boone Links with 27 holes and Lassing Pointe with 18 holes and this will involve both courses. Commissioner Flaig asked a question, Jeff Earlywine, County Administrator, commented, they will be working with our staff. Commissioner Walton asked who would pay the cost of the consultants. Jeff Earlywine, County Administrator, answered this would be from the general fund. Commissioner Flaig commented she was impressed the in depth study of the clubhouse, merchandise, it is money well spent. Judge Moore commented this is something we can learn from. Commissioner Flaig commented it is a marketing point, promote the community, and market the clubhouses for events. Judge Moore explained this is all a part of the study. 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.

ITEM VIII.

FISCAL MATTERS

A. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 15-66. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT ACKNOWLEDGING THE COMPLETION AND ACCEPTANCE OF THE FY2013 AUDIT REPORT. Judge Moore commented this was a clean audit. Ben Reece, Finance Director, explained everything was above board, we want to acknowledge acceptance of the Audit. 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.

B. Judge Moore presented the Invoice Report. Commissioner Kenner moved, seconded by Commissioner Walton to approve Invoice Report dated 05-05-2015 and pre-paid invoice reports dated (4-23-15 & 4030-15). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

C. Judge Moore presented the Golf Invoice Report. Commissioner Flaig moved, seconded by Commissioner Walton to approve the Golf Course Invoice Report dated 05-05-2015 and the pre-paid invoice reports dated (4-23-15) and 4-30-15). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

D. Judge Moore presented the FY 2015 Third Quarter Budget Report. Jeff Earlywine, County Administrator, commented we had a strong performance in the 3rd quarter. We are 9.9% over our 3rd quarter from last year, for payroll tax receipts, with steady growth. We now have 3 full quarters under our belt to use to forecast our revenue. Judge Moore stated our revenue is on tract. Commissioner Walton moved, seconded by Commissioner Kenner to approve the Report. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

ITEM IX.

OLD BUSINESS

A. Judge Moore asked if there was any Old Business before the Court. None presented.

ITEM X.

NEW BUSINESS

Judge Moore asked if there was any New Business before the Court. None presented. Judge Moore announced there will be no further action by the Court and called for a Motion to go into Executive Session for purposes of discussing the future purchase of real property pursuant to KRS 61.810 (B). Commissioner Kenner moved, seconded by Commissioner Flaig to go into Executive Session. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

Judge Moore announced the next meeting will be this Thursday, May 7th, 2015 for our Budget workshop, which is a public meeting discussing our 2016 budget.

EXECUTIVE SESSION

The Court met in Executive Session. At 6:55 PM Commissioner Walton moved, seconded by Commissioner Kenner to end the Executive Session. ALL PRESENT VOTING AYE 4-0.

ITEM XII.

ADJOURNMENT

Judge Moore called for adjournment of the Fiscal Court Meeting. Commissioner Walton moved, seconded by Commissioner Kenner, to adjourn the meeting. ALL PRESENT VOTING AYE 4-0. Next Fiscal Court meeting will be May 19, 2015 @ 5:30 pm.

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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 May 5, 2015.



Fiscal Court Clerk

Date: 20 May 2015