

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**September 18, 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  
Robert Neace, County Attorney

Staff: (Absent) 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 September 4, 2012. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

**ITEM III.**

**PRESENTATIONS**

Mark Hansel, reporter with the Enquirer gave a presentation of the new Enquirer format. Judge Moore asked a question to which Mark Hansel responded.

**ITEM IV.**

**PERSONNEL MATTERS**

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 12-155, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT OF PAULA PEMBERTON TO THE POSITION OF PART TIME RECONCILIATION SPECIALIST AND THE RECLASSIFICATION OF A CURRENT EMPLOYEE ANN BARNES TO GRADE 4/STEP E IN THE OCCUPATIONAL LICENSE DEPARTMENT. Lisa Buerkley, Assistant County Administrator made comments. 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 Resolution 12-156, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPOINTING MICAH B. FOSTER TO A PART-TIME POSITION IN THE EMERGENCY MANAGEMENT DEPARTMENT. Lisa Buerkley, Assistant County Administrator 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 12-157, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPOINTING LAURA PLEIMAN TO THE POSITION OF DIRECTOR OF HUMAN SERVICES. Judge Moore, Lisa Buerkley, Jeff Earlywine, and Kirk Kavanaugh made comments. 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.

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Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 12-158, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPOINTING ERIN GIWER TO THE PART-TIME POSITION OF RECEPTIONIST IN THE BOONE COUNTY PARKS DEPARTMENT. Lisa Buerkley, Assistant County Administrator made comments. 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.

**ITEM V.**

**ORDINANCES**

Judge Moore asked the Fiscal Court Clerk to read into the record the second reading of Ordinance 12-17, AN ORDINANCE RELATING TO MAKING CERTAIN FINDINGS CONCERNING AND ESTABLISHING A LOCAL DEVELOPMENT AREA FOR ECONOMIC DEVELOPMENT PURPOSES WITHIN THE COUNTY TO BE KNOWN AS THE FRIENDLY MARKET LOCAL DEVELOPMENT AREA; APPROVING A LOCAL DEVELOPMENT AREA AGREEMENT AMONG THE COUNTY AND THE FRIENDLY MARKET LLC; ESTABLISHING AN INCREMENTAL TAX SPECIAL FUND FOR PAYMENT OF REDEVELOPMENT ASSISTANCE AND PROJECT COSTS PREPARATION; DESIGNATING THE COUNTY AS THE AGENCY RESPONSIBLE FOR OVERSIGHT, ADMINISTRATION, AND IMPLEMENTATION OF THE LOCAL DEVELOPMENT AREA; AND AUTHORIZING THE COUNTY JUDGE/EXECUTIVE AND OTHER OFFICIALS TO TAKE SUCH OTHER APPROPRIATE ACTIONS AS ARE NECESSARY OR REQUIRED IN CONNECTION WITH THE ESTABLISHMENT OF THE LOCAL DEVELOPMENT AREA. Judge Moore made comments. Bill MacElhaney, citizen, asked questions to which Judge Moore responded. Terry Donahue, citizen, asked a question to which Judge Moore and Jim Parsons, Attorney, responded. Judge Moore asked a question to which Jim Parsons and Jack Berberich responded. Jim Parsons made comments. Commissioner Walton asked a question to which Jim Parsons responded. Commissioner Walton made comments and asked a question to which Judge Moore and Jeff Earlywine responded. Judge Moore made comments. Commissioner Kenner made a motion to approve the ordinance. Bob Neace, County Attorney, stated the need for a motion to take the ordinance off the table. Commissioner Kenner made a motion to remove the ordinance from the table, seconded by Commissioner Walton. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 3-1 (Commissioner Dedden voting Nay). Commissioner Kenner moved, seconded by Commissioner Walton, to approve the ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 3-1 (Commissioner Dedden voting Nay).

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 ANNE F. MCBRIDE, MCBRIDE DALE CLARION (APPLICANT) FOR TERRA FIRMA CONNER CROSSING LLC (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) ZONE FOR A 1.42 ACRE LOT GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE PETERSBURG ROAD/HEBRON PARK DRIVE INTERSECTION, BOONE COUNTY, KENTUCKY. Todd Morgan, Planning & Zoning, gave a brief presentation on the ordinance. Judge Moore made comments. Commissioner Walton asked a question to which Todd Morgan and Commissioner Dedden responded. Commissioner Dedden asked a question to which Todd Morgan responded. Judge Moore made comments. Jeff Earlywine made comments and asked questions to which Todd Morgan responded. Judge Moore asked a question to which Todd Morgan responded. Commissioner Dedden and Judge Moore made comments. Second Reading will be held at the October 9, 2012 Fiscal Court meeting.

Judge Moore asked the Fiscal Court Clerk to read into the record the first reading of, AN ORDINANCE AUTHORIZING THE ISSUANCE OF INDUSTRIAL BUILDING REVENUE REFUNDING BONDS, SERIES 2012 (BONFIGLIOLI USA, INC. PROJECT), OF THE COUNTY OF BOONE, KENTUCKY, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,500,000, THE PROCEEDS OF WHICH SHALL BE LOANED TO BONFIGLIOLI USA, INC. TO REFUND THE OUTSTANDING COUNTY OF

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BOONE, KENTUCKY VARIABLE RATE DEMAND INDUSTRIAL BUILDING REVENUE BONDS, SERIES 2006 (BONFIGLIOLI USA, INC. PROJECT), THAT WERE ISSUED FOR THE PURPOSE OF FINANCING THE COSTS OF THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF AN INDUSTRIAL BUILDING TO BE LOCATED WITHIN THE COUNTY OF BOONE, KENTUCKY FOR USE IN AN ACTIVITY, BUSINESS OR INDUSTRY FOR THE MANUFACTURING, PROCESSING OR ASSEMBLING OF A COMMERCIAL PRODUCT; PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SUCH BONDS; AUTHORIZING A LOAN AGREEMENT APPROPRIATE FOR THE PROTECTION AND DISPOSITION OF SUCH REVENUES AND TO FURTHER SECURE SUCH BONDS; AUTHORIZING A BOND PURCHASE AGREEMENT; TAX REGULATORY AGREEMENT AND ASSIGNMENTS; AND AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS. Judge Moore and Jeff Earlywine made comments. Second Reading will be held at the October 9, 2012 Fiscal Court meeting.

**ITEM VI.**

**JUDGE'S REPORT**

None at this time.

**ITEM VII.**

**ADMINISTRATIVE MATTERS**

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 12-159, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDDING THE BID TO PURCHASE A TRAILER MOUNTED SEWER CLEANER FOR THE BOONE COUNTY PUBLIC WORKS DEPARTMENT TO THE JACK DOHENY COMPANY. Judge Moore, Greg Sketch and Commissioner Dedden made comments. 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 12-160, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT NAMING NEW COUNTY ROADS AS PART OF THE SOUTH AIRFIELD ROAD PROJECT. Judge Moore and Greg Sketch made comments. 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.

**ITEM VIII.**

**FISCAL MATTERS**

Commissioner Dedden moved, seconded by Commissioner Walton, to approve Invoice Report (9-18-12) and pre-paid invoice report dated (9-13-12). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Walton moved, seconded by Commissioner Kenner to approve Golf Course Invoice Report (9-18-12) and pre-paid Golf Course invoice report dated (9-13-12). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Dedden moved, seconded by Commissioner Kenner to approve Fiscal Court Order #2, A Fiscal Court order of the Boone County Fiscal Court authorizing transfers in the amount of \$62,235.00 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**

Commissioner Dedden asked Noreen Morgan, resident of Sherwood Lakes, for an update regarding lake erosion and their efforts to partner with SD1. Judge Moore made comments.

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ITEM X.

NEW BUSINESS

None at this time.

ITEM XI.

ADJOURNMENT

Commissioner Kenner moved, seconded by Commissioner Walton, 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 September 18, 2012.

Daphne Kornblum  
Fiscal Court Clerk

Date: 10/10/12