

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**September 21, 2010**  
**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  
Cathy Flaig, Commissioner, District 1  
Charles E. Kenner, Commissioner, District 2  
Terri Moore, Commissioner, District 3  
Robert Neace, County Attorney

Staff: Lisa Buerkley, County Treasurer  
Mike Hall, Sheriff's Department  
Greg Sketch, County Engineer  
Robin Curry, Assistant County Administrator  
Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive  
(Absent) Jeff Smith, Assistant County Attorney  
Daphne Kornblum, Fiscal Court Clerk

**ITEM II.**

**APPROVAL OF MINUTES**

Commissioner Moore moved, seconded by Commissioner Flaig, to approve the Minutes from the meeting of September 7, 2010. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

**ITEM III.**

**PRESENTATIONS**

Judge Moore read a Proclamation for "Family Day-A Day To Eat Dinner With Your Children"

**ITEM IV.**

**PERSONNEL MATTERS**

None at this time.

**ITEM V.**

**ORDINANCES**

Judge Moore asked the Fiscal Court Clerk to read into the record Ordinance 10-08, Second Reading, AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES FOR THE COUNTY OF BOONE, KENTUCKY. Jeffrey Earlywine, County Administrator gave brief comments on this annual housekeeping item. Commissioner Kenner moved, seconded by Commissioner Flaig, 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 Ordinance 10-09, Second Reading of AN ORDINANCE OF 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 PEMCO WORLD AIR SERVICES, INC. UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM (KRS 154.32-010-KRS 154.32-100). Judge Moore, Jeff Earlywine and Commissioner Kenner made comments on the project. Commissioner Kenner moved, seconded by Commissioner Flaig, 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 (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**September 21, 2010**  
**5:30 P.M.**

Judge Moore asked the Fiscal Court Clerk to read into the record a first reading of an Ordinance, AN ORDINANCE OF THE FISCAL COURT OF BOONE COUNTY, KENTUCKY, RELATING TO AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$26,720,000 PRINCIPAL AMOUNT OF "COUNTY OF BOONE, KENTUCKY, POLLUTION CONTROL REVENUE REFUNDING BONDS, SERIES 2010 (DUKE ENERGY KENTUCKY, INC. PROJECT)"; AUTHORIZING THE LOAN OF THE PROCEEDS OF SAID BONDS TO DUKE ENERGY KENTUCKY, INC., A PUBLIC UTILITY AND CORPORATION DULY ORGANIZED AND VALIDLY EXISTING UNDER THE LAWS OF THE COMMONWEALTH OF KENTUCKY, FOR THE REDEMPTION, PAYMENT AND DISCHARGE OF CERTAIN OUTSTANDING BONDS OF THE COUNTY HERETOFORE ISSUED; AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT RELATING TO THE BONDS BETWEEN THE COUNTY OF BOONE, KENTUCKY, AND DUKE ENERGY KENTUCKY, INC.; AUTHORIZING THE EXECUTION AND DELIVERY OF A TRUST INDENTURE RELATING TO THE BONDS SECURING SAID BONDS; CONFIRMING AND APPROVING THE SALE OF SAID BONDS TO THE PURCHASER THEREOF; AUTHORIZING THE EXECUTION OF A BOND PURCHASE AGREEMENT AND A LETTER OF REPRESENTATION RELATING TO THE BONDS; APPROVING ONE OR MORE PRELIMINARY OFFICIAL STATEMENTS AND/OR OFFICIAL STATEMENTS IN RESPECT OF SAID BONDS, AND TAKING OTHER RELATED ACTIONS. Jim Parsons, Legal Representation/Bond counsel for Duke Energy shared information regarding the Ordinance. Judge Moore made comments. Commissioner Flaig asked a question to which Jim Parson's responded. Second Reading is set for the October 19<sup>th</sup> 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 10-135, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT ACKNOWLEDGING THE RECEIPT OF THE SHERIFF'S SETTLEMENT FOR THE CALENDAR YEAR 2009. Lisa Buerkley, Finance Director gave comments regarding the resolution. Commissioner Flaig asked a question to which Lisa Buerkley responded. Judge Moore asked a question to which Lisa Buerkley responded. Jeff Smith, resident, asked a question to which Lisa Buerkley responded. Commissioner Moore moved, seconded by Commissioner Flaig, 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 10-136, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING GARY W. MOORE, COUNTY JUDGE-EXECUTIVE, TO EXECUTE AN AGREEMENT WITH THE KENTUCKY DEPARTMENT OF FISH & WILDLIFE TO PARTICIPATE IN THE KDFWR FISHING IN NEIGHBORHOODS (FINS) PROGRAM. Jeff Earlywine made comments. David Whitehouse, Parks Director, shared information of the Fishing In Neighborhoods Program. Commissioner Flaig asked a question to which David Whitehouse responded. Jeff Smith, resident, asked a question to which David Whitehouse responded. Commissioner Flaig moved, seconded by Commissioner Moore, to approve the resolution. 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 (1<sup>st</sup> Floor)  
Burlington, Kentucky  
September 21, 2010  
5:30 P.M.

ITEM VIII.

FISCAL MATTERS

Commissioner Moore moved, seconded by Commissioner Flaig, to approve Invoice Report (9-21-10). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Kenner moved, seconded by Commissioner Moore to approve Golf Course Invoice Report (9-21-10). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Judge Moore noted that the information regarding the Monthly Financial Report and Interfund Transfer for August was late in coming and would be tabled until the next Fiscal Court Meeting on October 5, 2010.

ITEM VIII.

OLD BUSINESS

None at this time.

ITEM IX.

NEW BUSINESS

Jeff Smith, resident, asked when the Agenda was posted on the internet to which Jeff Earlywine responded. Judge Moore thanked the Senior Picnic Committee, community and county employees on the success of the annual picnic.

ITEM XI.

ADJOURNMENT

Commissioner Kenner moved, seconded by Commissioner Moore, 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 21, 2010.

Daphne Kornblum  
Fiscal Court Clerk

Date: 10/6/10