

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
October 5, 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
(Absent) Greg Sketch, County Engineer
Robin Curry, Assistant County Administrator
Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive
Jeff Smith, Assistant County Attorney
Daphne Kornblum, Fiscal Court Clerk

ITEM II.

APPROVAL OF MINUTES

Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Minutes from the meeting of September 21, 2010. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

ITEM III.

PRESENTATIONS

None at this time.

ITEM IV.

PERSONNEL MATTERS

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-137, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE APPOINTMENTS OF ALESHIA DOUGHMAN AND COLLEEN BRAY TO THE POSITIONS OF PART TIME KENNEL TECHNICIAN AT THE BOONE COUNTY ANIMAL SHELTER. Robin Curry, Assistant County Administrator, gave brief comments on the positions. Judge Moore also gave comments on replacing the positions. 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.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-138, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE HIRING OF SPECIAL EVENT WORKERS FOR THE PARKS DEPARTMENTS. Robin Curry made brief comments. Commissioner Kenner moved, seconded by Commissioner Moore, 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 10-10, AN ORDINANCE OF THE COUNTY OF BOONE, KENTUCKY AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010 C, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$16,500,000 (WHICH AMOUNT MAY BE DECREASED AS NECESSARY) TO REFUND IN ADVANCE OF MATURITY THE OUTSTANDING PRINCIPAL AMOUNT OF BOONE

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COUNTY, KENTUCKY GENERAL OBLIGATION PUBLIC PROJECT BONDS, SERIES 2002, THE PROCEEDS OF WHICH WERE USED TO FINANCE THE BOONE COUNTY DETENTION FACILITY; APPROVING THE FORM OF BONDS; AUTHORIZING DESIGNATED OFFICERS TO EXECUTE AND DELIVER THE BONDS; PROVIDING FOR THE PAYMENT AND SECURITY OF THE BONDS; CREATING A BOND PAYMENT FUND; AUTHORIZING AN ESCROW TRUST AGREEMENT; MAINTAINING THE HERETOFORE CREATED SINKING FUND; AUTHORIZING ACCEPTANCE OF THE BID OF THE BOND PURCHASER FOR THE PURCHASE OF THE BONDS; AND REPEALING INCONSISTENT ORDINANCES. Jeffrey Earlywine, County Administrator gave an overview on refunding outstanding bonds. Keith Brock, with Ross, Sinclair & Assoc., gave brief comments. Judge Moore commented on the savings by refinancing bonds. Commissioner Kenner commented in favor of the Ordinance. Jeff Smith, Resident, asked a question to which Jeff Earlywine responded. Commissioner Kenner moved, seconded by Commissioner Moore, to approve the ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.

ITEM VI.

JUDGE'S REPORT

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-139, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING ROBIN CURRY TO THE BOONE-FLORENCE WATER COMMISSION. Judge Moore commended Robin Curry on the good job he's done on the board. Judge Moore moved, seconded by Commissioner Moore, 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 10-140, A RESOLUTION RELATING TO DESIGNATING AN APPLICANT'S AGENT FOR THE PURPOSE OF OBTAINING FEDERAL DISASTER ASSISTANCE. Jeff Earlywine made a comment regarding updating the records with the appointment of Mark Ihrig. 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.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-141, A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDED THE BID FOR WASTE COLLECTION & RECYCLING FOR COUNTY OWNED PROPERTIES / RECYCLING DROP-BOX PROGRAM FOR VARIOUS BOONE COUNTY SITES. Robin Curry made comments. Judge Moore asked a question to which Robin Curry responded. Brett Gaspard, resident and representative from Rumpke spoke regarding the bid prices being close. Judge Moore gave an explanation of the current procedure on recycling and drop boxes. Robin Curry responded. Jim Neuman, representative from Bavarian made comments on the bid process and procedures. Commissioner Moore gave positive comments on the bid process. Commissioner Flaig asked a question to which Judge Moore and Jeff Earlywine responded. Commissioner Flaig made a motion to award the bid for one (1) year, per staff recommendation and re-bid in 2011. 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.

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-142, A RESOLUTION RELATING TO THE REASSIGNMENT OF RECOVERY ZONE FACILITY BONDS (RZFB) TO CALLOWAY COUNTY, KENTUCKY. Jeff Earlywine gave a brief overview. Commissioner Flaig asked a question to which Jeff Earlywine responded. Commissioner Kenner made comments. Jeff Smith, resident, asked a question to which Jeff Earlywine responded. Commissioner Flaig asked a question to which Jeff Earlywine responded. Commissioner Moore made comments. Commissioner Kenner moved,

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seconded by Commissioner Moore, 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 10-143, A RESOLUTION OF THE COUNTY OF BOONE, KENTUCKY DIRECTING THE BOONE COUNTY, KENTUCKY PUBLIC PROPERTIES CORPORATION TO TAKE CERTAIN FORMAL ACTIONS AS THE AGENCY AND INSTRUMENTALITY AND AS THE CONSTITUTED AUTHORITY OF THE COUNTY OF BOONE, KENTUCKY; SPECIFICALLY DIRECTING THE ISSUANCE OF AND AUTHORIZING AND APPROVING \$10,235,000 (WHICH AMOUNT MAY BE INCREASED OR DECREASED BY AN AMOUNT OF UP TO \$1,025,000) FIRST MORTGAGE REVENUE REFUNDING BONDS, SERIES 2010 (COURT FACILITIES PROJECT), OF THE BOONE COUNTY, KENTUCKY PUBLIC PROPERTIES CORPORATION; AND AUTHORIZING OTHER ACTIONS IN CONNECTION THEREWITH. Keith Brock with Ross Sinclair, made comments. Judge Moore made comments. 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 10-144, RESOLUTION OF THE COUNTY OF BOONE, KENTUCKY, AUTHORIZING THE ADVERTISEMENT FOR BIDS AND DISTRIBUTION OF PRELIMINARY OFFICIAL STATEMENT FOR THE PURCHASE OF APPROXIMATELY TEN MILLION TWO HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$10,235,000) BOONE COUNTY, KENTUCKY PUBLIC PROPERTIES CORPORATION FIRST MORTGAGE REVENUE REFUNDING BONDS, SERIES 2010 (COURT FACILITIES PROJECT). 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 VIII.

FISCAL MATTERS

Commissioner Flaig moved, seconded by Commissioner Moore, to approve Invoice Report (10-5-10) and pre-paid invoice report dated (9-24-10) and (10-1-10). 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 (10-5-10) and pre-paid Golf Course invoice report dated (9-20-10) and (9-24-10). Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

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

Commissioner Kenner moved, seconded by Commissioner Flaig to table, per staff's request, Fiscal Court Order #1, A Fiscal Court order of the Boone County Fiscal Court authorizing transfers in the amount of \$102,840 within the adopted Fiscal Year 2010-2011 Budget. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

Commissioner Moore moved, seconded by Commissioner Flaig to approve Receipt of FY 2008 Final Audit Report. Lisa Buerkley, Finance Director, made comments. Judge Moore thanked the Finance Department for their hard work. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE (4-0).

ITEM VIII.

OLD BUSINESS

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None at this time.

ITEM IX.

NEW BUSINESS

Discussion regarding possible amendments to the Boone County Concealed Carry Weapon Ordinance pertaining to County owned property and facilities. Judge Moore reviewed the Concealed Carry Weapon Ordinance and the committee that was formed to create the draft Ordinance. Joe Kalil, resident, spoke in favor of the change to the Ordinance. Brian Miller & Eric Cranley, residents, spoke in favor of the change to the ordinance. Craig Keller, Kenton Co. resident spoke in favor of the change to the Ordinance. Frank Brady, resident, spoke in favor of the change to the Ordinance. Judge Moore made comments on signs posted in buildings. Commissioner Flaig & Commission Kenner were in favor of moving forward with the change in the Ordinance. Judge Moore made a comment. Commissioner Flaig asked a question to which Jeff Earlywine responded. Robin Curry spoke about District Court, Police & Jail being housed in the Administration building when the current Ordinance was originally passed in 1996. Commissioner Moore asked when the first reading would take place, to which Jeff Earlywine responded October, 19, 2010. Craig Keller made comments on carrying fire arms openly. Joe Kalil asked a question to which Bob Neace responded. Judge Moore stated the Sheriff's Office was in support of the change to the Ordinance. Judge Moore stated the court would move forward with the drafted Ordinance with the first reading on October 19, 2010.

ITEM XI.

ADJOURNMENT

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

PUBLIC PROPERTIES CORPORATION

Jeff Earlywine stated a Special Meeting Notice was advertised to comply with Statute.

Commissioner Moore moved, seconded by Commissioner Kenner, to approve the Minutes from the meeting of June 23, 2009. Judge Moore called for a vote on the motion, MOTION PASSES (4-0).

Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-145, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BOONE COUNTY, KENTUCKY PUBLIC PROPERTIES CORPORATION FORMALLY AUTHORIZING THE ISSUANCE OF FIRST MORTGAGE REVENUE REFUNDING BONDS, SERIES 2010 (COURT FACILITIES PROJECT) OF THE CORPORATION IN THE PRINCIPAL AMOUNT OF APPROXIMATELY \$10,235,000 (WHICH AMOUNT MAY BE INCREASED OR DECREASED BY AN AMOUNT OF UP TO \$1,025,000) AT THE DIRECTION OF THE COUNTY OF BOONE, KENTUCKY, AND AUTHORIZING THE EXECUTION OF A LEASE AND A MORTGAGE RELATIVE TO SAID FINANCING, SO AS TO PRODUCE REVENUES TO PAY INTEREST ON AND PRINCIPAL OF SAID BONDS AND TO PROVIDE SECURITY TO THE BONDHOLDERS; AND PROVIDING FOR THE SALE OF SAID BONDS. 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.

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Judge Moore asked the Fiscal Court Clerk to read into the record Resolution 10-146, A RESOLUTION OF THE BOONE COUNTY, KENTUCKY PUBLIC PROPERTIES CORPORATION AUTHORIZING THE ADVERTISEMENT FOR BIDS AND THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT FOR THE PURCHASE OF APPROXIMATELY TEN MILLION TWO HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$10,235,000) BOONE COUNTY, KENTUCKY PUBLIC PROPERTIES CORPORATION FIRST MORTGAGE REVENUE REFUNDING BONDS, SERIES 2010 (COURT FACILITIES PROJECT). Commissioner Kenner moved, seconded by Commissioner Moore, to approve the resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING 4-0.


Judge Moore announced Trick or Treat hours would be from 6-8 pm on Sunday, October 31, 2010 and that the Jack-O-Lantern Walk would be on October 30, 2010, at Central Park.

Commissioner Flaig mentioned the Moving Wall that is coming to Florence from October 13-18, 2010 at the Florence Government Center.

Judge Moore called for a motion to adjourn from Public Properties. Commissioner Moore moved, seconded by Commissioner Flaig to Adjourn.

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 October 5, 2010.



Fiscal Court Clerk

Date: 10/20/10