

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**February 2, 2016**  
**5:30 P.M.**

**ITEM I.**

**CALL TO ORDER**

Judge Moore addressed the Court and the audience sharing the news that there have been several deaths since our last meeting. Mr. Bob Acree from Verona, Mr. George Toadvine who was very involved with our schools, our own County Clerk, Kenny Brown, lost his Mother and Mr. Jim Marksberry one of our employees lost his mother and father this month. Let us keep them in our prayers.

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

Present: Gary W. Moore, County Judge/Executive  
Cathy H. Flaig, Commissioner, District 1  
Charles E. Kenner, Commissioner, District 2  
Charlie Walton, Commissioner, District 3  
Bob Neace, County Attorney

Staff: Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive  
Matthew H. Webster, Assistant County Administrator  
Benjamin T. Reece, Treasurer/Finance Director  
Scott Pennington, County Engineer  
Lori Zombek, Human Resources Director  
Bill Mark, Sheriff Department  
Sharon Burcham, Fiscal Court Clerk

**ITEM II.**

**APPROVAL OF MINUTES**

A. Commissioner Walton moved, seconded by Commissioner Kenner, to approve the Minutes from the January 19, 2016 meeting with no corrections. Commissioner Kenner called for a vote on the motion, MOTION PASSED (3-0). Judge Moore abstained as he was absent on that date.

**ITEM III.**

**PRESENTATIONS**

A. Judge Moore introduced Mr. Garren Colvin, CEO of St. Elizabeth Hospital and Dr. Lynne Saddler, Executive Director of the Northern Kentucky Health Department. They are in attendance with a presentation on the disease prevention program, S.A.E.P. There will not be a vote or debate tonight. Further discussion will be had if this item is placed on the Agenda in the future. Mr. Colvin explained this program is about disease management and control of HIV and Hepatitis C, along with needle exchange so people are safer in the community. Health Department locations will be the place for this program. Dr. Saddler commented we are required by law to stop and prevent disease. We want to get used needles out of public, Hepatitis C cases continue to go up; this is not intended to solve the heroin problem. Judge Moore thanked them for their information, commented we are not here to debate and asked if anyone had questions. Commissioner Flaig asked a question concerning how Hepatitis C was transferred and safety of first responders to which Dr. Saddler and Gary Blank, Sr. VP of St. Elizabeth responded. Commissioner Flaig asked about funding to which Dr. Saddler responded. Judge Moore asked about new employees to which Dr. Saddler responded, no new employees will be hired. Commissioner Kenner asked about other areas that have had the program and Dr. Saddler responded. Judge Moore asked Dr. Saddler to explain the hours of operation for the clinic. Judge Moore explained the County would have to approve or not approve the program by Resolution. Christie Blanchett from PAR (People Advocating Recovery) came to the podium and explained they have trained over

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40 police departments in Northern Kentucky on how to remain safe and have provided stick-proof gloves and needle boxes for the Police Departments. Judge Moore thanked her for her service. Mr. Larry Kelly, retired CDC came to the podium and commented about training to health care workers. Judge Moore thanked him for his comments. Mr. Bob Cicero came to the podium and asked a question about vaccines to which Dr. Saddler responded. Judge Moore asked a question concerning pregnant mothers and unborn children to which Garren Colvin responded. Mr. Jim Thaxton from Pendleton County addressed the Court about the success of the program in Pendleton County; they have had no issues and no crime due to the program being implemented there. Judge Moore asked if there was anyone in attendance in opposition to the program; he thanked everyone for their comments and allowed time for anyone to exit.

**ITEM IV.**

**PERSONNEL MATTERS**

A. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-08. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT OF DIANE MEYER, BY GARY W. MOORE, COUNTY JUDGE EXECUTIVE, TO THE POSITION OF HUMAN RESOURCES CLERK. Lori Zombeck, Human Resources Director commented this person is currently working in the Occupational Licenses department; she has 10 years' experience in HR. 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.

B. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-09. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE RE-APPOINTMENT OF BRENDA HARTLE AND CODY N. KAHMANN TO THE SEASONAL POSITION OF ARBORETUM INTERN BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, IN THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek, Human Resources Director explained these workers are seasonal for the Arboretum. 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.

C. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-10. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT OF TY ROBINSON AS A PARK LABORER III TRUCK DRIVER, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, IN THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek, Human Resources Director explained this position will fill a vacancy and become a flexible position. Commissioner Flaig asked what the hours worked would be. David Whitehouse, Director of Parks, explained the position would be a weekend position caring for ballfields, shelters, and soccer fields during our busy time. Judge Moore commented it would be field work in the Parks. Lori Zombek stated we are not adding a position. Commissioner Flaig and David Whitehouse exchanged comments. Jeff Earlywine, County Administrator, commented this position would be for customer service and should reduce OT and improve productivity. 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.

D. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-11. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING 57 SEASONAL EMPLOYEE RE-APPOINTMENTS AND 20 NEW HIRES, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, AT THE BOONE COUNTY PARKS DEPARTMENT. Judge Moore commented this is for 57 returning seasonal positions and 20 new hires. Lori Zombek, Human Resources Director added we are not increasing the number of employees just ramping up for park season. Judge Moore replied these are college, high school students which are seasonal positions and not full time, no benefits are paid. A great opportunity

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for our youth to learn. 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.

E. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-12. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT OF ALIA BAKER, BY GARY W. MOORE, COUNTY JUDGE EXECUTIVE, TO THE POSITION OF TELECOMMUNICATOR IN THE PSCC DEPARTMENT. Lori Zombek, Human Resources Director explained the County is trying to fill several openings at PSCC. This applicant passed testing and we are recommending her for hire. Judge Moore commented PSCC is the 911 Dispatch Center. 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.

**ITEM V.**

**ORDINANCES**

A. Judge Moore asked the Fiscal Court Clerk to read into the record the second reading of Ordinance 2016-01. AN ORDINANCE OF BOONE COUNTY FISCAL COURT, KENTUCKY, RELATING TO A CREDIT OF ITS OCCUPATIONAL LICENSE FEE FOR NEW EMPLOYEES AS PART OF AN ECONOMIC DEVELOPMENT PROJECT BY ALLTRISTA PLASTICS LLC UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM. Judge Moore asked Jeff Earlywine, County Administrator to comment. This is a smaller project, the parent company is Jarden, it is a \$7M project offering 27 new jobs. Judge Moore added Alltrista makes plastic spoons/forks. 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.

**ITEM VI.**

**JUDGE'S REPORT**

A. None at this time.

**ITEM VII.**

**ADMINISTRATIVE MATTERS**

A. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-13. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDING THE BID FOR GARBAGE COLLECTION FOR COUNTY-OWNED PROPERTIES TO RUMPKE FOR THE BOONE COUNTY SOLID WASTE DEPARTMENT AND AWARDING THE BID TO BAVARIAN WASTE FOR VARIOUS SOLID WASTE SERVICES PROVIDED BY THE BOONE COUNTY PUBLIC WORKS SOLID WASTE DIVISION. Jeff Earlywine, County Administrator explained the bid tabulation is in the packet. The first bid covered waste removal for all County facilities, we had 4 bidders and Rumpke was the low bidder. The second part of this bid was for solid waste services, special events like Spring and Fall Clean Up. The bids were very close and Bavarian was the low bidder. At this time Katie Rafferty-Evans asked to address the Court. Ms. Evans is with Best Way Disposal and shared they are the current hauler for the County and have been for the past 2 years. In 2010 Best Way decided to make Boone County their home. Best Way brings 2-3 tons of recyclable to Boone County per week; we attend Quarterly meetings in Frankfort. Ms. Evans asked the Court to consider selecting Best Way Disposal as only a few dollars between bids. Judge Moore stated this if for the first part of the bid, front loading containers at County facilities. The second part of the bid would stay with Bavarian. Jeff Earlywine, County Administrator, commented the net difference was \$375 per year. Judge Moore asked if there were any questions. Commissioner Walton stated that low bid is a great starting point but we should also look at quality and involvement of services in our area and stated what Best Way does in the community is worth the difference. Commissioner Walton recommended the County select Best Way Disposal over Rumpke. Commissioner Flaig commented that Rumpke is a Cincinnati, Ohio company and Best Way is in Boone County.



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Commissioner Flaig asked if the County is allowed to re-negotiate. Jeff Earlywine, County Administrator answered it is inappropriate to go back and negotiate. Commissioner Walton moved to consider Best Way over Rumpke. Judge Moore clarified replace Best Way with Rumpke? Commissioner Walton moved to change the garbage collection for county-owned properties to Best Way Disposal and Commissioner Flaig seconded the change. Judge Moore commented Best Way Disposal brings their recyclable products to our facility and we do not pay them for that, Ms. Evans stated that is correct. Judge Moore added Best Way is involved in our community. Judge Moore called for a vote on the Motion, ALL PRESENT VOTING 4-0. The Resolution will be changed to reflect Best Way Disposal for the garbage collection for County-Owned Properties.

B. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-14. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT OF A VIEWING COMMITTEE, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, REGARDING THE REQUEST TO VACATE A PORTION OF AN "ALLEY" RIGHT-OF-WAY AT 2950 THIRD STREET IN PETERSBURG, BOONE COUNTY, KENTUCKY. Judge Moore asked Scott Pennington, County Engineer, to explain. Mr. Pennington stated Petersburg is laid out in blocks bisected by alleys. We have posted signs to advertise the request. The same person owns both sides of the property. Judge Moore commented that Commissioner Flaig would be a part of this committee; we are only appointing the viewing committee. 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.

C. Judge Moore asked the Fiscal Court Clerk to read into the record Resolution No. 2016-15. A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING A BID AWARD FOR A 2016 HALF-TON CREW CAB SHORT BOX PICKUP TRUCK TO HAAG FORD AND A 2016 EXTENDED CAB 4X4 LONG BOX PICKUP TRUCK TO HAAG FORD FOR THE PARKS DEPARTMENT. Judge Moore commented these vehicles are in the budget. Jeff Earlywine, County Administrator, explained the County received 2 bids but from the same bidder. The costs were well below the budget estimate and the bids were significantly lower than the State bid price. Mr. Bob Cicero from the audience asked a question. Mr. Earlywine responded the trucks were purchased based upon the needs for the Parks Department. David Whitehouse, Parks Director explained the different needs associated with the 2 different trucks being purchased. Commissioner Flaig asked a question about the age of the trucks we are replacing; Jeff Earlywine responded the old trucks will become surplus and auctioned.

**ITEM VIII.**

**FISCAL MATTERS**

A. Judge Moore presented the Invoice Report dated February 2, 2016 and pre-paid Invoice Reports dated January 21<sup>st</sup> and January 29<sup>th</sup>, 2016. Commissioner Walton moved, seconded by Commissioner Flaig to approve the Invoice Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

B. Judge Moore presented the Golf Invoice Report dated February 2<sup>nd</sup>, 2016 and pre-paid Golf Invoice Reports for January 21<sup>st</sup> and January 29<sup>th</sup>, 2016. Commissioner Kenner moved, seconded by Commissioner Walton to approve the Golf Invoice Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

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**ITEM IX.**

**OLD BUSINESS**

Judge Moore asked if there was any Old Business to come before the Court. Judge Moore asked to give an update on the Property Maintenance Code Enforcement Ordinance. The staff has made changes and amendments; it is different from what it started. We are recommending that the original Code Enforcement Ordinance be permanently tabled and introduce a new Ordinance. The County is working on a new Ordinance; the old one is not going to work. Commissioner Walton asked to make a Motion to permanently table Ordinance #15, as it was known, and start over. Commissioner Flaig stated the number 15 only represents the year date. Judge Moore explained the numbering process for our Ordinances using the year date as the beginning number on any Ordinance. The proper name for the Ordinance should be Code Enforcement Ordinance. Judge Moore explained the model Code Enforcement Ordinance is what other governments have passed. Gallatin County has passed an Ordinance for code enforcement. We will present a new Ordinance sometime in March. Commissioner Flaig asked about citizen input. Judge Moore stated we have been getting comments from the community. Commissioner Walton made a Motion to permanently table the old Property Maintenance Code Ordinance. Commissioner Kenner seconded the Motion. Judge Moore called for a vote on the motion, ALL PRESENT VOTING, AYE 4-0.

**ITEM X.**

**NEW BUSINESS**

Judge Moore asked if there was any New Business to come before the Court. Commissioner Walton stated he wanted to suggest availability of public sewers in the County. There are 15,000 – 20,000 people that want access to sewers in the 3 counties. Commissioner Walton recommended the staff meet to see how to provide public sewers to our citizens and address the health problem. Judge Moore commented SD1 would need to partner with the County; we can explore what other communities have done. Commissioner Kenner stated the health department has dealt with some of these communities. Commissioner Flaig asked a question. Commissioner Walton stated he is concerned about accessibility of sewer, should we help SD1 solve some issues. A recommendation was made that the staff research this issue.

**ITEM XI.**

**ADJOURNMENT**


Judge Moore called for adjournment of the Fiscal Court Meeting. Commissioner Kenner moved, seconded by Commissioner Walton, to adjourn the meeting. ALL PRESENT VOTING AYE 4-0.

Next Fiscal Court Meeting will be Tuesday, February 16, 2016 @ 5:30 pm. Judge Moore stated the new Code Enforcement Ordinance will not be on the Agenda.

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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 February 2, 2016.

  
Fiscal Court Clerk

Date: 17<sup>th</sup> February 2016