

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
October 18, 2016
5:30 P.M.

ITEM I.

CALL TO ORDER

- A. Judge Gary W. Moore called to Order the meeting of the Boone County Fiscal Court.
- B. Commissioner Cathy H. Flaig 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
Robert 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, Director of Human Resources
Maj. Bill Mark, Sheriff Department
Sharon Burcham, Fiscal Court Clerk

ITEM II.

APPROVAL OF MINUTES

A. Commissioner Walton moved, seconded by Commissioner Flaig, to approve the Minutes from the October 4, 2016 Fiscal Court Meeting, with no changes. Judge Moore called for a vote on the motion, MOTION PASSED AYE 4-0.

ITEM III.

PRESENTATIONS

A. Judge Moore introduced Chief Dave Jones from Verona Fire District. Chief Jones stated the taxing rate for 2016-2017 will remain the same for Verona Fire District at \$1.85 per \$1,000. They cover areas into Gallatin and Grant counties also. Last year statistics were 400 EMS runs and 200 fire runs. They have two (2) persons full time paid and the rest of the staff is volunteer. Judge Moore asked if there were any other changes, Chief Jones stated no, everything will stay the same. Chief Jones explained the capital purchases they will be making in the future. Commissioner Flaig asked a question concerning the back up for the ambulance, Chief Jones responded. Discussion followed concerning health care paying for ambulance service by Commissioner Flaig and Chief Jones. Judge Moore thanked Chief Jones for his service.

ITEM IV.

PERSONNEL MATTERS

A. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV. A: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT OF PEGGY KNIPFER, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO THE POSITION OF TERMINAL AGENCY COORDINATOR FOR THE PSCC DEPARTMENT. Lori Zombek, Director of Human Resources explained this position will fill a retirement. Six candidates were interviewed, this was the top candidate. Judge Moore asked what duties the Terminal Agency Coordinator was responsible for. Lori responded, managing reports and audits and making sure information entered into the terminals is correct. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

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B. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV. B: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT OF RONALD MALLORY, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO THE POSITION OF ENGINEERING SERVICES CHIEF INSPECTOR FOR THE PUBLIC WORKS DEPARTMENT. Lori Zombek, Director of Human Resources explained this position became available after a restructure of the Public Works Department after another retirement. We assessed the need of the Department and added extra duties to this position. This candidate had all the skills and is also a Civil Engineer. Judge Moore commented that Mr. Mallory is from a County in Virginia that is very fast growing. Commissioner Walton moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

C. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV. C: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT OF MICHAEL PRYSE, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO THE POSITION OF ENGINEERING SERVICES SPECIALIST IN THE ENGINEERING DIVISION FOR THE PUBLIC WORKS DEPARTMENT. Lori Zombek, Director of Human Resources explained this candidate has the skills and experience and was our top candidate. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

D. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV. D: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT OF MICHAEL MARTIN, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO THE POSITION OF ENGINEERING SERVICES SPECIALIST IN THE ENGINEERING DIVISION FOR THE PUBLIC WORKS DEPARTMENT. Lori Zombek, Director of Human Resources explained this candidate was internal and has the experience and skill set we need. Judge Moore commented with retirements in the Department and all the projects in Public Works with ongoing maintenance and the challenges as we continue to grow, filling the positions will help us restructure the Department and provide great service to the Community. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

ITEM V.

ORDINANCES

A. Judge Moore asked the Fiscal Court Clerk to read into the record the First Reading of Item V. A: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, APPROVING A SERIES OF ZONING TEXT AMENDMENTS TO THE BOONE COUNTY ZONING REGULATIONS, SUCH AMENDMENTS TO BE MADE TO ARTICLES 31 AND 40 OF THE BOONE COUNTY ZONING REGULATIONS WHICH ADD PERMITTING REQUIREMENTS AND RELATED DEFINITIONS FOR SMALL CELLULAR POLES. Todd Morgan from the Planning Commission explained these small poles will be in the right-of-way. They provide no utility service, only cell phone service. They are constructed of all wood. There is only one pole in unincorporated Boone County now. Their purpose is to correct calling capacity issues; have less cell towers. There will be guidelines and regulations set. Judge Moore stated this is the first reading and asked for questions or discussion. Commissioner Flaig asked the number expected, Todd Morgan responded he has not heard a number for Boone County. Commissioner Kenner asked if other counties or governments have passed this; Todd Morgan responded, Kenton County has. Judge Moore asked if there would be a fee involved? Todd Morgan responded a new small Cell Pole fee would be \$500; and \$300 for a co-location. Jeffrey Earlywine, County Administrator, commented the poles do generate noise and Planning Commission will deal with that issue. Judge Moore asked about placement on the right-of-way and restrictions to which Todd Morgan responded. Commissioner Flaig asked a question, Todd Morgan responded. Judge Moore commented the

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County and cities would establish the same guidelines. Second reading will be November 15th where we will take questions from the audience.

B. Judge Moore asked the Fiscal Court Clerk to read into the record the First Reading of Item V. B: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, DENYING A REQUEST OF OSAM MARDIN (APPLICANT) FOR ALEX OTHMAN (OWNER) FOR A ZONING MAP AMENDMENT AND A CONDITIONAL USE PERMIT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL ONE (SR-1) AND COMMERCIAL SERVICES (C-3) TO INDUSTRIAL ONE (I-1); THE CONDITIONAL USE PERMIT BEING TO ALLOW AN AUTO AUCTION FACILITY AND RELATED IMPROVEMENTS; ALL FOR A 10.33 ACRE SITE GENERALLY LOCATED ON THE NORTH SIDE OF I-275 AND APPROXIMATELY 1,200 FEET EAST OF THE TERMINUS OF SOUTHPARK DRIVE, BOONE COUNTY, KENTUCKY. Todd Morgan, Planning Commission showed slides of this location and explained the close proximity to the Hebron Interchange of the building, explaining this is a Conditional Use Permit and the Planning Commission takes the final vote. A bridge would need to be constructed across neighboring property and the right-of-way extended. Todd Morgan presented the original plan and changes made. Planning Commission is recommending denial. Judge Moore commended this is a zoning map amendment and the Conditional Use Permit was denied by a vote of 10-3. Second reading and discussion will be November 15th.

C. Judge Moore asked the Fiscal Court Clerk to read into the record the First Reading of Item V. C: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT CREATING A FRANCHISE FOR THE OPERATION AND MAINTENANCE OF A CABLE COMMUNICATIONS SYSTEM IN THE COUNTY OF BOONE, KENTUCKY, SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF FRANCHISE AND PROVIDING FOR THE REGULATION AND USE OF SAID SYSTEM. Jeffrey Earlywine, County Administrator explained this project began in 2009. The County wanted a better model to move ahead and become an independent franchise. All three of our cities have an independent franchise. In July, 2011 we obtained our independent franchise. Linda Ain, legal counsel for the County explained where we were in the process and how we would move forward, that bids would be taken and a final Franchise Agreement would be signed. Judge Moore asked for questions from the Court, stating this was the first reading. None presented. Second reading will be November 15th.

ITEM VI.

JUDGE'S REPORT

A. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. A: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE ACTION OF GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, RE-APPOINTING KEITH NOEL AND GARY WILMHOF TO THE BOONE COUNTY SHERIFF MERIT BOARD. Judge Moore explained this Board only meets when there are issues. These two candidates are well qualified. Commissioner Walton moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

ITEM VII.

ADMINISTRATIVE MATTERS

A. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. A: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING BID AWARDS FOR SIXTEEN (16) VARIOUS VEHICLES THROUGHOUT SEVEN (7) DEPARTMENTS. Matthew Webster, Assistant County Administrator explained these vehicles will be for the County fleet. A decision was made to combine all vehicles and bid as one package which generated 9 different bidders. Matthew stated 3 vehicles are not from the lowest bid and explained the conditions. Commissioner Walton asked if there was a savings by bidding multiple vehicles at once. Matthew responded, there was a savings with better prices and good products. Commissioner Flaig asked if a list of vehicles being replaced could be included next time. Jeffrey Earlywine,

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County Administrator commented a Vehicle Replacement Form was completed by each Department. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

B. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. B: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE BID AWARD FOR SURPLUS REAL PROPERTY PLATTED AS PARCEL "A" CONSISTING OF 9.478 ACRES LOCATED AT THE INTERSECTION OF AERO PARKWAY AND ZIG ZAG ROAD TO CRESTVIEW LANDS, LLC. Jeffrey Earlywine, County Administrator, explained this parcel has been declared surplus property. It is a remnant piece of land left over when we created Aero Parkway, it is a very long and narrow piece of property. There is no public purpose for the County to own the property and there has been interest from abutting property owners to purchase the property. The County at this time is responsible for maintaining the property. The appraised value for the property was \$12,500 and we received a bid for \$12,501. There will be restrictions of building on the property and restrictions to maintain it in good condition. Judge Moore commented these are parcels of land the County does not need. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

C. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. C: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE BID AWARD FOR SURPLUS REAL PROPERTY PLATTED AS PARCEL "B" CONSISTING OF 2.135 ACRES LOCATED AT THE INTERSECTION OF AERO PARKWAY AND ZIG ZAG ROAD TO DUANE C. DRINGENBUR. Jeffrey Earlywine, County Administrator explained there were two (2) bids received on this parcel. The appraised value was \$3,000 and bids were received of \$3,001. and \$3,250. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

D. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. D: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE BID AWARD FOR TWO (2) PRE-OWNED GOLF COURSE TURF SPRAYERS AND ONE (1) PRE-OWNED GOLF COURSE GREENS ROLLER FOR THE GOLF COURSE GROUNDS DEPARTMENT. Matthew Webster, Assistant County Administrator, stated there was a critical need for equipment due to age and extensive usage. We addressed the Lease Agreements, but they were not competitive. The pre-owned equipment met our needs and we were able to obtain three pieces at the price of \$48,477. compared to the cost of one sprayer at \$55,000. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

E. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. E: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT DECLARING CERTAIN IMPROVEMENTS ON REAL PROPERTY LOCATED AT 2939 WASHINGTON STREET, BURLINGTON, AS SURPLUS PROPERTY. Jeffrey Earlywine, County Administrator, stated the closing was finalized, the tenant vacated the building and the Seller inquired about acquiring the structure. The County wants to declare the house as surplus property, the cost of demolition and hauling away the debris could be substantial. The Staff will prepare the bid specifications and bring back to the Court the results. Judge Moore stated the County planned on tearing down the structure and it would be a savings to the County to explore this option. This house is across the street from the Administration Building at the corner of Route 18 & Rogers Lane. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

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ITEM VIII.

FISCAL MATTERS

A. Judge Moore presented the Invoice Report dated October 18th, 2016 and pre-paid Invoice Reports dated October 6th and October 13th, 2016. Judge Moore commented these invoices will be on our website tomorrow. Commissioner Kenner moved, seconded by Commissioner Walton 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 October 16th, 2016 and pre-paid Golf Invoice Report dated October 6th, 2016. Commissioner Walton moved, seconded by Commissioner Flaig to approve the Golf Invoice Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

C. Judge Moore presented the Monthly Treasurer's and Interfund Transfer Report for September, 2016. Commissioner Kenner moved, seconded by Commissioner Walton to approve the Reports. 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 to come before the Court. None presented.

ITEM X.

NEW BUSINESS

A. Judge Moore asked if there was any New Business to come before the Court, none presented.

Judge Moore announced the Jack-O-Lantern walk by the Parks Department will be Saturday, October 29th and will be held at the Fairgrounds this year. It is a free event, great for families and hayrides will be available.

Jeffrey Earlywine, County Administrator, stated the time of our November 1st Fiscal Court meeting will be 5:30 PM. Initial advertisements stated the time as 8:30 AM. The County has notified the press.

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.

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 October 18, 2016.



Fiscal Court Clerk

Date: 2 Nov 2016