

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
August 8, 2017
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. 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
Robert Neace, County Attorney

Staff: Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive
Matthew H. Webster, Assistant County Administrator
Benjamin T. Reece, County Treasurer
Scott Pennington, County Engineer
Lori Zombek, Director of Human Resources
Maj. Mike Hall, Sheriff Department
Diane Meyer, Substitute Fiscal Court Clerk

ITEM II.

APPROVAL OF MINUTES

A. Judge Moore presented the Minutes from the July 25, 2017 Fiscal Court Meeting for approval. Commissioner Walton moved, seconded by Commissioner Kenner, to approve the Minutes from the July 25, 2017 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 asked if anyone from Duke Energy was in the audience to make the presentation on the Smart Meters project. There was no one present.

B. Judge Moore introduced Dr. Lynn Saddler from the Northern Kentucky Independent District Health Department and stated the District is required to give testimony on the Ad Valorem Tax. Dr. Saddler presented the tax rate at 1.9 cents per \$100 assessed value, which is the same percentage as last year, and asked that it be approved. Judge Moore asked the Clerk to read into the record the Resolution that supports the public health tax, Item VI. B: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT ACKNOWLEDGING RECEIPT OF THE PUBLIC HEALTH TAX RATE SET BY THE BOONE COUNTY PUBLIC HEALTH TAXING DISTRICT CREATED BY KRS 212.750 AND VERIFYING ITS PLACEMENT ON THE COUNTY TAX BILL. Judge Moore expressed his support for this Resolution. 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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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 BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF ALIA WOODS-KRAMER, TO THE FULL-TIME POSITION OF ADMINISTRATIVE SERVICES ASSISTANT FOR THE PUBLIC WORKS DEPARTMENT. Scott Pennington, County Engineer, commented this position was approved by the Fiscal Court taking a part-time position and making it full-time. Commissioner Flaig asked a question, Jeff Earlywine, County Administrator, responded. 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.

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, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF VICTOR VANOVER, TO THE POSITION OF PARKS LAND MANAGER FOR THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek, Director of Human Resources, commented this position was also approved by the Fiscal Court. Commissioner Walton moved, seconded by Commissioner Flaig, 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, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF COLE CUZICK, TO THE SEASONAL POSITION OF REFEREE FOR THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek, Director of Human Resources, commented this is a seasonal position. Commissioner Flaig asked if it was a Referee position, Lori Zombek responded, it is a seasonal referee position. 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.

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 APPOINTMENTS, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE OF HAYDEN DONALDSON AND SPENCER SCHARSTEIN AS COUNSELORS FOR THE 21ST CENTURY GRANT PROGRAM FOR THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek, Director of Human Resources, commented these are seasonal counselors for the Century 21 program at Parks needed as replacement for students leaving for school. 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.

E. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV. E: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE APPOINTMENT OF LUCAS SCHMEING, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, AS THE EQUIPMENT/SHOP MANAGER AT THE BOONE COUNTY GOLF COURSES. Lori Zombek, Director of Human Resources, commented this was a seasonal employee that we have moved to a full-time position. Commissioner Walton 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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F. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV. F: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE APPOINTMENT OF JOSHUA BUGG AND NOAH BAMONTE, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, AS SEASONAL GOLF COURSE MAINTENANCE NEW HIRES AT THE BOONE COUNTY GOLF COURSES. Lori Zombek, Director of Human Resources, commented these are seasonal employees to maintain the grounds for the golf courses. 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 Second Reading of Item V. A: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, APPROVING THE REQUEST, WITH CONDITIONS, OF GOLDEN MASONRY HOMES (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A RURAL SUBURBAN (RS) ZONE FOR AN APPROXIMATE 3.4 ACRE SITE GENERALLY LOCATED ON THE SOUTHEAST CORNER OF THE BULLITTSVILLE ROAD/CORNERSTONE DRIVE, BOONE COUNTY, KENTUCKY, (LOTS 1 THROUGH 7 CORNERSTONE ESTATES SUBDIVISION). THE REQUEST IS FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN TO MODIFY A PREVIOUS CONDITION OF APPROVAL TO ALLOW SEVEN HOMES TO FACE CORNERSTONE DRIVE INSTEAD OF BULLITTSVILLE ROAD. Jeff Earlywine, County Administrator, explained the Planning Commission has approved these changes with additional conditions. The conditions have to do with additional landscaping and placing the homes at a certain distance from the road. Commissioner Walton asked if anyone opposed the changes, Jeff Earlywine responded, No. Commissioner Walton moved, seconded by Commissioner Flaig, to approve the Ordinance. 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 the Second Reading of Item V. B: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT AMENDING ORDINANCE 430.9 AS IT RELATES TO THE IMPOSITION AND THE LEVYING OF A TRANSIENT ROOM TAX FOR THE PURPOSE OF PROMOTING CONVENTION AND TOURISM ACTIVITY, SETTING INTEREST AND PENALTIES RELATING THERETO; THE IMPOSITION AND THE LEVYING OF A SPECIAL TAX FOR THE PURPOSE OF OPERATING A CONVENTION CENTER, SETTING INTEREST AND PENALTIES RELATING THERETO; AND THE IMPOSITION AND THE LEVYING OF AN ADDITIONAL TAX FOR THE PURPOSE OF EXPANDING THE NORTHERN KENTUCKY CONVENTION CENTER AND REGIONAL EFFORTS TO PROMOTE TOURISM AND CONVENTION BUSINESS AND SETTING INTEREST AND PENALTIES RELATING THERETO. Judge Moore stated the room tax is called a transient tax charged by the hotel/motel. The funds generated by the tax would go to the NKY Convention and Visitor's Bureau to promote tourism and the expansion of the NKY Convention Center. It is a regional effort to expand tourism in our area, Kenton and Campbell Counties have already approved this tax. Mr. Eric Summe, President of the Convention and Visitor's Bureau was present. Commissioner Walton moved, seconded by Commissioner Kenner, to approve the Ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

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ITEM VI.

JUDGE'S REPORT

A. Judge Moore presented a Resolution that was not listed on the Agenda regarding the removal of Reformulated Gas in our region and asked the Fiscal Court Clerk to read into the record this Resolution: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT SUPPORTING THE REMOVAL OF REFORMULATED GASOLINE (RFG) FROM THE STATE IMPLEMENTATION PLAN (SIP) FOR BOONE, CAMPBELL, AND KENTON COUNTIES. Judge Moore read several portions of the Resolution explaining the details and advising the RFG adds 22 cents per gallon more to the price of gasoline. 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.

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 ESTABLISHING THE 2017 AD VALOREM TAX RATES FOR BOONE COUNTY, KENTUCKY. Jeff Earlywine, County Administrator, stated when asked by the Court to find ways to decrease taxes we were able to decrease the automobile tax and property taxes. Jeff Earlywine presented a power point explaining the changes and Staff recommendations. 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.

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 AN INTERLOCAL AGREEMENT WITH THE CAMPBELL COUNTY FISCAL COURT, KENTON COUNTY FISCAL COURT AND THE CAMPBELL COUNTY CONSOLIDATED DISPATCHING BOARD TO FACILITATE THE DEVELOPMENT AND OPERATION OF A REGIONAL PUBLIC SAFETY EMERGENCY COMMUNICATION SYSTEM FOR BOONE COUNTY, KENTUCKY. Jeff Earlywine, County Administrator, commented the Court is in support of the Regional Communication System. This would be a six member board consisting of two members from Boone, two from Kenton, 1 from Campbell and 1 from Campbell County Consolidated Dispatching Board. The Regional Board would have shared expenses. This proposal has been preliminarily approved by the Attorney General's office. Commissioner Walton 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 APPROVING THE ENGINEERING AND SERVICES FEE PROPOSAL FROM GRW ENGINEERS, INC., FOR THE VETERAN'S WAY CONNECTOR WAY CONTRACT MODIFICATION #2. Scott Pennington, County Engineer, explained the details for this Contract modification. Commissioner Flaig asked about the Veteran's memorial, Judge Moore responded. 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.

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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 AUTHORIZING THE COUNTY TO ENTER INTO AN AGREEMENT WITH THE NORTHERN KENTUCKY UNIVERSITY CENTER FOR ENVIRONMENTAL RESTORATION TO COMPLETE A STREAM REHABILITATION PROJECT WITHIN CENTRAL PARK. David Whitehouse, Director of Parks, commented his staff has been working on this stream erosion problem since 2012. The goal is to improve the stream quality and improve the 2 retention ponds. There will be no cost to the County as NKU Environmental Restoration will do the work and cover all costs with a Grant. Commissioner Walton asked a question, Jeff Earlywine responded. 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.

F. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. F: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT DECLARING CERTAIN PROPERTY OF SEVEN (7) OFFICE CHAIRS AND ELEVEN (11) FILING CABINETS AS SURPLUS. Matthew Webster, Assistant County Administrator, stated we have a surplus of 7 chairs and some filing cabinets. We are asking for permission to put these items on our website for purchase by the public. 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 VIII. **FISCAL MATTERS**

A. Judge Moore presented the Invoice Report dated August 8th, 2017 and pre-paid Invoice Reports dated July 27th and August 2nd, 2017. Commissioner Kenner 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 August 8th, 2017 and pre-paid Golf Invoice Reports dated July 27th and August 2nd, 2017. Commissioner Walton moved, seconded by Commissioner Kenner to approve the Golf Invoice Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

ITEM IX. **OLD BUSINESS**

Judge Moore asked if there was any old business to come before the Court. Jeff Earlywine, County Administrator shared with the Court that the deadline was met to submit the application for the Evergreen/RidgeView Sewer project.

ITEM X. **NEW BUSINESS**

Judge Moore asked if there was any new business to come before the Court.

ANNOUNCEMENTS

Judge Moore reminded everyone that the Boone County Fair is this week and encouraged everyone to attend.

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ITEM XI

CLOSED EXECUTIVE SESSION

Judge Moore announced that the Court will be going into Closed Executive Session to discuss pending and proposed litigation involving the County per KRS 61.810(1)(c). Commissioner Flaig made the Motion to go into Executive Session, seconded by Commissioner Walton. ALL PRESENT VOTING AYE 4-0.

Commissioner Walton made the Motion to end the Closed Executive Session, seconded by Commissioner Flaig. ALL PRESENT VOTING AYE 4-0.

ITEM XII.

ADJOURNMENT

Judge Moore called for adjournment of the Fiscal Court Meeting. Commissioner Walton moved, seconded by Commissioner Flaig, 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 during the Boone County Fiscal Court meeting of August 8, 2017, by Diane Meyer, Substitute Fiscal Court Clerk.



Fiscal Court Clerk

Date: 23 Aug 2017