

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
December 19, 2017
8:30 A.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
Scott Pennington, County Engineer
Benjamin T. Reece, Treasurer
Lori Zombek, Director of Human Resources
Maj. Bill Mark, Sheriff Department
Sharon Burcham, Fiscal Court Clerk

ITEM II.

APPROVAL OF MINUTES

A. Judge Moore presented the Minutes from the December 5, 2017 Fiscal Court Meeting for approval. Commissioner Walton moved, seconded by Commissioner Kenner, to approve the Minutes from the December 5, 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 introduced Melissa Grandstaff from the Solid Waste Department to present the Anti-Litter Calendar Contest Winners from the local schools. Children were presented with a certificate and pictures were taken with the Fiscal Court members.

B. Sheriff Mike Helmig presented the FY2018 Budget for the Boone County Sheriff's Department. Sheriff Helmig stated the end of term expenses would be \$817,000 with 25 pay periods. Sheriff Helmig explained the increase of retirement with hazardous duty having an increase of 51% and non-hazardous would increase 46%, making a Budget increase of over \$800,000 for FY 2018. Commissioner Flaig asked a question, Sheriff Helmig responded.

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 SHERIFF'S BUDGET, GENERAL TERM ORDER, AND ANNUAL ORDER SETTING MAXIMUM AMOUNT FOR DEPUTIES AND ASSISTANTS OF THE BOONE COUNTY SHERIFF'S DEPARTMENT FOR THE CALENDAR YEAR 2018. 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. Judge Moore thanked Sheriff Helmig for his leadership and all that he does for the County.

C. Judge Moore introduced County Clerk Kenny Brown to present the County Clerk budget. Mr. Brown also thanked Sheriff Helmig and his staff for all the support they give to the County Clerk's office during an election and throughout the year. Mr. Brown and Jenny Coldiron gave an explanation of the expanded services provided by the Clerk's office and the on-line services now available. December 31st is the deadline to change your registered party. A review of precincts was given and 2017 budget points. Discussion was held about the historic documents being preserved that are stored in the basement. Judge Moore asked about the cost involved to support the election process and the odd/even year changes. Mr. Brown responded. 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 COUNTY CLERK'S BUDGET, GENERAL TERM ORDER AND ANNUAL ORDER FOR SETTING THE MAXIMUM AMOUNT FOR DEPUTIES AND ASSISTANTS OF THE COUNTY CLERK'S DEPARTMENT FOR THE

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CALENDAR YEAR 2018. 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. Mr. Brown also shared the hours the County Clerk Offices would be open during the holidays. Judge Moore thanked Kenny Brown for his service to the County.

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 APPOINTMENTS, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF ASHLEY HUTCHISON, TYLER SCHUCHART, ALEX KING AND HOLLY DERRICK TO THE POSITION OF FULL TIME DISPATCHER FOR THE PSCC DEPARTMENT. Lori Zombek, Director of Human Resources, stated three (3) of these applicants are EMTs and the other applicant has customer service experience. 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.

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 TYLER HODGES TO THE PART-TIME POSITION OF SOLID WASTE SERVICES RECYCLING TECHNICIAN FOR THE PUBLIC WORKS DEPARTMENT. Lori Zombek, Director of Human Resources, this is a part-time position for Solid Waste/Recycling. 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.

C. Judge Moore stated we Court would like to add an additional item to the Agenda this evening and asked the Fiscal Court Clerk to read into the record Item IV. C: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE TERMINATION OF STEVE DAN, MAINTENANCE TECHNICIAN/HVAC FOR THE BOONE COUNTY PROPERTY MAINTENANCE DEPARTMENT. Jeff Earlywine, County Administrator, stated this is for termination of an employee due to chronic and serious performance deficiencies. The County holds all employees accountable for performance and this employee would not improve even with coaching and counseling. 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.

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, WITH CONDITIONS, A REQUEST OF BAYER BECKER (APPLICANT) FOR BEX FARMS, INC. (OWNER) FOR A ZONING MAP AMENDMENT FROM INDUSTRIAL ONE (I-1) TO INDUSTRIAL TWO (I-2), AND A CONDITIONAL USE PERMIT AND A VARIANCE, FOR AN APPROXIMATE 12 ACRE AREA LOCATED ON THE NORTHEAST CORNER OF THE PRODUCTION DRIVE/RESOURCE DRIVE INTERSECTION, INCLUDING THE PARCEL AT 1543 RESOURCE DRIVE, BOONE COUNTY, KENTUCKY. THE REQUEST IS FOR A ZONE CHANGE AND CONDITIONAL USE PERMIT TO ALLOW A SOLID WASTE TRANSFER STATION, AND A VARIANCE FROM SECTION 1143, #14, PARAGRAPH "I" OF THE BOONE COUNTY ZONING REGULATIONS TO ALLOW THE SPACING REQUIREMENT BETWEEN A PARCEL CONTAINING A SOLID WASTE TRANSFER STATION AND A PARCEL CONTAINING A SINGLE FAMILY RESIDENCE TO BE REDUCED. Judge Moore introduced Kevin Costello, Director of the Planning Commission to present this Ordinance. Mr. Costello explained the text amendment and stated this will rezone the site from I-1 to I-2 and presented slides of the location. There will be no hazardous materials or dead animals at this Transfer Station, and is set up on a same day concept. Mr. Costello stated the applicant has met all conditions. Commissioner Flaig asked a question pertaining to the hours of operation. Mr. Costello responded. Judge Moore asked a question pertaining to the weight of the trucks. Jeff Earlywine, County Administrator, stated there were no comments or response for surrounding neighbors during the process. Judge Moore stated the second reading will be held January 23, 2018.

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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 APPROVING, WITH CONDITIONS, A REQUEST OF HILLTOP BASIC RESOURCES, INC. (APPLICANT) FOR DAVID J. BIEDENBENDER AND JAMES A. BIEDENBENDER (OWNERS) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM AGRICULTURAL ESTATE (A-2) TO INDUSTRIAL ONE (I-1) FOR A 18.03 ACRE SITE LOCATED AT 3202 AND 3204 MINEOLA PIKE, BOONE COUNTY, KENTUCKY. Judge Moore introduced Todd Morgan from the Planning Commission. Mr. Morgan presented site vicinity maps and stated 5 acres of the property will be left undisturbed. Judge Moore commented this new location will allow trucks coming from Cincinnati to operate from here. Scott Pennington, County Engineer, explained the future plan for widening Mineola Pike. Judge Moore asked a question about hauling raw material. Judge Moore stated the second reading will be January 23, 2018. It was mentioned that a typo in the document lists the change to be I-1 instead of the proper I-2. Corrections will be made to all documents before second reading.

C. Judge Moore asked the Fiscal Court Clerk to read into the record the Second Reading of Item V. C: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING A REQUEST OF CREDIT OF AN OCCUPATIONAL LICENSE FEE FOR NEW EMPLOYEES AS PART OF AN ECONOMIC DEVELOPMENT PROJECT BY TICONA POLYMERS, INC. UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM (KRS 154.32-010-KRS 154.32-100). Jeff Earlywine, Count Administrator, explained this is to support growth of an existing company. They have a \$25M capital investment, providing ten (10) new jobs with 50% credit to Occupational License fee. Judge Moore stated this company has deep roots in the Community. Judge Moore asked if there were any questions and called for a vote on the Ordinance. 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.

D. Judge Moore asked the Fiscal Court Clerk to read into the record the Second Reading of Item V. D: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT AMENDING ORDINANCE 14-01, ADOPTED ON JANUARY 7, 2014 AND AMENDED WITH ORDINANCE 2017-18, ADOPTED ON OCTOBER 3, 2017, ESTABLISHING REGULATIONS FOR THE CONTROL AND LICENSING OF ALCOHOLIC BEVERAGES BY AMENDING THE HOURS WHEN SALES OF DISTILLED SPIRITS DRINK LICENSES AND RETAIL MALT BEVERAGE DRINK LICENSES ARE PERMITTED. Judge Moore explained this Ordinance deals with the circumstance when New Year's Eve falls on a Sunday night. This will be active only when a Sunday is New Year's Eve. Jeff Earlywine, County Administrator, stated the City of Florence will also enact a similar Ordinance. Judge Moore asked if there were any questions and called for a vote on the Ordinance. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

ITEM VI.

JUDGE'S REPORT

A. Judge Moore asked the Fiscal Court Clerk to read into the record Item VI. A: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE RE-APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF KIMBERLY QUINN TO THE BOONE COUNTY ETHICS COMMISSION. Judge Moore stated Kimberly Quinn is an attorney in Northern Kentucky. 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.

B. Judge Moore asked the Fiscal Court Clerk to read into the record Item VI. B: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE RE-APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF JEREMY KLEIER TO THE NORTHERN KENTUCKY SOLID WASTE MANAGEMENT TECHNICAL ADVISORY COMMITTEE. Judge Moore stated this is a re-appointment and Mr. Kleier serves on the City of Florence Public Works Department. 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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C. Judge Moore asked the Fiscal Court Clerk to read into the record Item VI. C: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF MICHAEL WALTON, FILLING AN UNEXPIRED TERM FOR AN ELECTED PROPERTY OWNER POSITION TO THE VERONA FIRE PROTECTION DISTRICT BOARD OF TRUSTEES. Judge Moore stated another Board member recommended Mr. Walton, he serves in the military. 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

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 AWARDING A NON-EXCLUSIVE FRANCHISE FOR A TERM OF TEN (10) YEARS FOR A TELECOMMUNICATIONS SYSTEM WITHIN THE CONFINES OF BOONE COUNTY, KENTUCKY TO FIBERTECH NETWORKS. Jeff Earlywine, County Administrator, stated this company missed the bidding two times, adjustments have been made and they have covered the costs of fees and advertising expenses. 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 VII. D: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE DESIGNATION OF A NEW PEDESTRIAN SIDEWALK PROJECT LOCATED ALONG OLD UNION ROAD FROM ITS NORTH INTERSECTION WITH U.S. 42 TO ITS INTERSECTION WITH ORLEANS BOULEVARD. Judge Moore stated this is a small project that came from the Transportation Plan meeting. Jeff Earlywine, County Administrator, added this is a great value for citizens; it is a short sidewalk but has great connectivity. It is budgeted for \$142,000. The centerline of the street is between the City of Union and unincorporated Boone County. The County will share the costs with the City of Union. Judge Moore also commented on the safety aspects. Commissioner Flaig asked about safety and Judge Moore explained a curb would be on the sidewalk and the Court would see the final design before voting. 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.

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 APPROVING A PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES FROM VIOX & VIOX, INC., RELATING TO THE PLANNING AND DESIGN WORK FOR THE BURLINGTON PUBLIC PLAZA PROJECT. Judge Moore explained this is a plaza idea brought about by the need for additional parking and beautification of Burlington, making a centerpiece for the community. Scott Pennington, County Engineer, stated this is a budgeted item and the County is working with Viox & Viox to create the park and expand parking. They are an approved engineer. Judge Moore asked if there were any questions, none presented. 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.

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 APPROVING A PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES FROM VIOX & VIOX, INC., RELATED TO THE PLANNING AND DESIGN WORK OF THE NORTH BEND ROAD TRAFFIC ISLAND PROJECT. Judge Moore stated District 6 started the project to repave #237 from 1-275 south to KY #20 and remove the concrete islands. The County will maintain the medians. Scott Pennington, County Engineer, stated the County installed new curbs and will be working with Viox & Viox to landscape the islands. 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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G. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. G: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDING THE BID FOR PARK FURNISHINGS AT THE BID PRICE OF \$36,856.00 TO THE PARK CATALOGUE FOR THE PARKS DEPARTMENT. Matthew Webster, Assistant County Administrator, explained the County bid for park furnishings and partnered with the City of Walton. The County received three bids and The Park Catalogue was the lowest bidder. The County cost will be \$36,856 which was budgeted. 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.

H. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. H: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDING THE BID FOR PLAYGROUND EQUIPMENT TO REPLACE THE BOONE WOODS FORT TO RECREATION IN SITES FOR THE PARKS DEPARTMENT. Judge Moore explained this equipment will replace the Fort in Boone Woods, which was not safe, and has been taken down. Matthew Webster, Assistant County Administrator, stated there were 2 responses to our bids; a team of three reviewed the bids. The price is not to exceed \$55,000 and will be installed early Spring and is below budget. Commissioner Flaig asked a question regarding a warranty, Matthew Webster, 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.

I. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. I: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT DECLARING CERTAIN IMPROVEMENTS ON REAL PROPERTY LOCATED AT 2965 and 2957 WASHINGTON STREET, BURLINGTON, AS SURPLUS PROPERTY. Jeff Earlywine, County Administrator, explained this relates to the design work for the new Burlington Plaza. We want to declare the yellow house as surplus and the Farm Bureau building in order to clear the property. The building will be offered up for bid, if no bids are received, we will demolish them. Judge Moore stated we have checked with the Historic Society to document any information. 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.

J. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. J: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT DECLARING A USED FURNACE AND FOUR (4) SKIDS OF MISCELLANEOUS ITEMS AS SURPLUS FROM THE PUBLIC WORKS DEPARTMENT. Scott Pennington, County Engineer, commented we are still house cleaning the garage, the furnace is beyond repair and will be put on GovDeals.com. 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.

K. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. K: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE 2018 FISCAL COURT OFFICIAL MEETING SCHEDULE. Judge Moore explained this will be the new calendar for 2018. Fiscal Court meetings will be on the 2nd and 4th Tuesday of each month. We have added another option of meeting in the mornings at 8:30 AM once a quarter and on the day of the Primary. 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 VIII.

FISCAL MATTERS

A. Judge Moore presented the Invoice Report dated December 19th, 2017 and pre-paid Invoice Reports dated December 8th and December 14th, 2017 and stated the Reports can be found on OpenGov.com. 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 December 19th, 2017 and pre-paid Golf Invoice Reports dated December 8th and December 14th, 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

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ITEM IX.

OLD BUSINESS

Judge Moore asked if there was any Old Business to come before the Court. Scott Pennington, County Engineer, asked to show photos of the new salt storage bin that has been put into operation at Lassing Pointe. Judge Moore explained the process of which roads in the County are maintained for snow removal by the State and the County. There is a link on the County website with a list of streets. Scott stated the new salt storage bin was built on budget and will hold 3,000 tons of salt. Judge Moore added the County was able to purchase salt at a lower price not that we have storage space. Commissioner Flaig asked a question, Scott Pennington responded. Discussion followed on the cost of running snow routes of 425 centerline miles of County roads. Judge Moore stated the County works closely with the school system to coordinate school days and road crews during the winter.

Jeff Earlywine, County Administrator, gave an update on Boone Cliffs Park. The Court passed a Resolution about 1 year ago to close the park due to overuse by the public. This area involves 100 acres, trails have been rebuilt, invasive plant species removed from the property and efforts to improve signage and improve parking by park users. The Staff has met with the local residents and reviewed their requests. We will have a quiet opening sometime in early 2018.

ITEM X.

NEW BUSINESS

Judge Moore asked if there was any New Business to come before the Court. A question was asked about the construction on Route #20. Scott Pennington, County Engineer, responded stating KYTC is doing pipe work on #20 and added that every Friday afternoon KYTC lists all the projects for the coming week on their website.

ITEM XI

ADJOURNMENT

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

ANNOUNCEMENTS:

ENGAGE: ENGAGE: Boone County Citizens Institute is a nine-week educational program designed to educate, involve, and engage Boone County Residents in the work of various county government operations. It offers participants exposure to a wide variety of subjects and presenters, including local elected officials and other professional County staff. You must be at least eighteen years of age and a current resident or business owner in Boone County to participate. Visit our website to sign up.

Christmas Tree-cycling:

Curbside Pickup for County & City of Florence - Wednesday, January 3
(unless crews are running snow routes, then the day after)

Drop Off Service - Saturday, Jan 6th -

1. UK Cooperative Extension lot
2. Stringtown Park, Florence
3. Union Pool
4. Walton Park
5. Lakeside Christian Church parking lot - Hebron

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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 during the Boone County Fiscal Court meeting of December 19, 2017.



Fiscal Court Clerk

Date: 10 JANUARY 2018