

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
February 13, 2018
5:30 P.M.

ITEM I.

CALL TO ORDER

A. Jeff Earlywine, County Administrator, asked that the Court appoint someone to Chair the meeting due to Commissioner Kenner's absence. Commissioner Walton made the Motion for Commissioner Kenner to Chair the Meeting, Commissioner Flaig seconded the Motion. Jeff Earlywine called for a vote on the motion, ALL PRESENT VOTING AYE 3-0. Commissioner Kenner called the Meeting to Order.

B. Commissioner Cathy Flaig presented the Invocation and the Pledge to the Flag.

Commissioner Kenner recognized Boy Scout Troop #805 from Presbyterian Church that was in attendance.

Present: Gary W. Moore, County Judge/Executive – (Absent)
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
Scott Pennington, County Engineer
Benjamin T. Reece, Treasurer
Lori Zombek, Director of Human Resources
Maj. Tom Scheben, Sheriff Department
Sharon Burcham, Fiscal Court Clerk

ITEM II.

APPROVAL OF MINUTES

A. Commissioner Kenner presented the Minutes from the January 23, 2018 Fiscal Court Meeting for approval. Commissioner Walton moved, seconded by Commissioner Flaig, to approve the Minutes from the January 23, 2018 Fiscal Court Meeting, with no changes. Commissioner Kenner called for a vote on the motion, MOTION PASSED AYE 3-0.

ITEM III.

PRESENTATIONS

A. There were no Presentations.

ITEM IV.

PERSONNEL MATTERS

A. Commissioner Kenner asked the Fiscal Court Clerk to read into the record Item IV. A: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE PROMOTION, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF JAMES HUMPHREY TO THE POSITION OF PUBLIC SERVICES INMATE CREW LEADER FOR THE PUBLIC WORKS DEPARTMENT. Lori Zombek, Director of Human Resources, stated this applicant will be filling a vacant position due to the retirement of Toddy Jacobs. Mr. Humphrey is currently in this department and we wish to promote him to Crew Leader. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Resolution. Commissioner Kenner called for a vote on the motion, ALL PRESENT VOTING AYE 3-0.

B. Commissioner Kenner asked the Fiscal Court Clerk to read into the record Item IV. B: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE APPOINTMENTS, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF SEASONAL EMPLOYEES FOR THE GROUNDS MAINTENANCE DEPARTMENT AT THE BOONE COUNTY GOLF COURSES. Lori Zombek, Director of Human Resources, stated these are seasonal positions and they are not eligible for benefits. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Resolution. Commissioner Kenner called for a vote on the motion, ALL PRESENT VOTING AYE 3-0.

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C. Commissioner Kenner asked the Fiscal Court Clerk to read into the record Item IV. C: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE APPOINTMENTS, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF SEASONAL EMPLOYEES FOR CONCESSIONS, PRO SHOP AND RANGERS AT THE BOONE COUNTY GOLF COURSES. Commissioner Walton moved, seconded by Commissioner Flaig, to approve the Resolution. Commissioner Kenner called for a vote on the motion, ALL PRESENT VOTING AYE 3-0.

D. Commissioner Kenner 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, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF ADAM FANGMAN TO THE POSITION OF PRO SHOP INSTRUCTOR AT THE BOONE COUNTY GOLF COURSES. Commissioner Walton moved, seconded by Commissioner Flaig, to approve the Resolution. Commissioner Kenner called for a vote on the motion, ALL PRESENT VOTING AYE 3-0.

E. Commissioner Kenner asked the Fiscal Court Clerk to read into the record Item IV. E: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENTS, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF ALEXANDER HOFFMAN, ZACH MORRIS AND BRIAN WALSH TO THE SEASONAL POSITION OF ARBORETUM INTERN FOR THE BOONE COUNTY PARKS DEPARTMENT. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Resolution. Commissioner Kenner called for a vote on the motion, ALL PRESENT VOTING AYE 3-0.

F. Commissioner Kenner asked the Fiscal Court Clerk to read into the record Item IV. F: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE PROMOTION, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF CONNER RAY TO A SEASONAL POSITION IN MAINTENANCE FOR THE BOONE COUNTY PARKS DEPARTMENT. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Resolution. Commissioner Kenner called for a vote on the motion, ALL PRESENT VOTING AYE 3-0.

ITEM V.

ORDINANCES

A. Commissioner Kenner 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 THE DREES COMPANY C/O MIKE SCHOETTELKOTTE (APPLICANT) FOR THE DREES COMPANY (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A RESIDENTIAL PLANNED DEVELOPMENT (RPD) ZONE FOR A 55.242 ACRE SITE LOCATED ON THE NORTH SIDE OF THORNWILDE DRIVE, ACROSS FROM THE THORNWILDE DRIVE/SOUTHCROSS DRIVE INTERSECTION, AND ON THE EAST SIDE OF WILLIAMS ROAD, TO THE NORTH OF THE THORNWILDE DRIVE/WILLIAMS ROAD INTERSECTION, BOONE COUNTY, KENTUCKY. THE REQUEST IS FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN TO ALLOW SINGLE FAMILY DETACHED RESIDENCES. Mitch Light, Assistant Zoning Administrator, presented slides of the site explaining these would be single family detached homes. The preliminary plan was in 2006 of 175 condos and it has been changed to 78 single family units. There is a cemetery on the property but all guidelines have been followed. It was a unanimous vote 4-0 from the Committee and 15-0 unanimous vote from the full Planning Commission. Commissioner Walton asked if there were any objections, Mr. Light responded, no. Commissioner Flaig asked the price range of the homes, Jeff Earlywine, County Administrator, responded the average home price would be \$325,000 and sell approximately 10-15 homes a year. They have reduced the density of the project but are not allowed to make any other changes unless it comes back before the Planning Commission. Commissioner Kenner asked if there were any other questions from the Court, none presented. Second Reading will be March 13, 2018.

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B. Commissioner Kenner 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 APPROVING, WITH CONDITIONS, A REQUEST OF JAY BAYER, BAYER BECKER, INC. (APPLICANT) FOR TOEBBEN, LTD. (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM AGRICULTURAL ESTATE (A-2) AND RURAL SUBURBAN ESTATES (RSE) TO SUBURBAN RESIDENTIAL THREE/COMMERCIAL ONE/PLANNED DEVELOPMENT (SR-3/C-1/PD) FOR AN APPROXIMATE 2.2 ACRE LOT LOCATED AT 1892 STAHL ROAD, BOONE COUNTY, KENTUCKY. Jeff Earlywine, County Administrator, stated the whole project is for 864 dwelling units. This 2.2 acre parcel has been purchased after the original approval. The developer is not requesting any additional dwelling units. Jay Bayer was in attendance to answer any questions from the Court. Commissioner Kenner asked if there were any questions. None presented. Commissioner Walton moved, seconded by Commissioner Flaig, to approve the Ordinance, with conditions. Commissioner Kenner called for a vote on the motion, ALL PRESENT VOTING AYE 3-0.

ITEM VI.

JUDGE'S REPORT

A. None at this time.

ITEM VII.

ADMINISTRATIVE MATTERS

A. Commissioner Kenner asked the Fiscal Court Clerk to read into the record Item VII. A: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING A MEMORANDUM OF AGREEMENT FOR THE 911 DWELLING UNIT SERVICE FEE WITH THE BOONE COUNTY PROPERTY VALUATION ADMINISTRATOR. Matthew Webster, Assistant County Administrator, stated this MOA codifies the agreement with the PVA Office and the Court for the 911 Dwelling Unit Service Fee. Commissioner Walton asked a question and stated the revenue cannot be over the price of the service. Jeff Earlywine, County Administrator, responded, the start date is July 1, 2018 for the service fee. Jeff Earlywine stated the revenue goes into Fund 78, Public Safety Fund exclusive for the 911 service Fee. Commissioner Flaig commented she is against any due tax but will vote in favor of the Resolution. Commissioner Walton moved, seconded by Commissioner Flaig, to approve the Resolution. Commissioner Kenner called for a vote on the motion, ALL PRESENT VOTING AYE 3-0.

B. Commissioner Kenner asked the Fiscal Court Clerk to read into the record Item VII. B: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING THE RESOLUTION OF CERTAIN PROPERTY LINE AND BOUNDARY CONFLICTS INVOLVING THE BOONE LINKS GOLF COURSE (ON BEHALF OF THE BOONE COUNTY KENTUCKY PUBLIC PROPERTIES CORPORATION) AND "THE GREENS HOMEOWNERS ASSOCIATION, INC." Jeff Earlywine, County Administrator, explained this involves an encroachment on County property that we want to clean up and another piece of property owned by the County encroaches onto the HOA property. This will be a fee simple exchange to clean up the boundaries. All surveys were conducted by a professional surveyor. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Resolution. Commissioner Kenner called for a vote on the motion, ALL PRESENT VOTING AYE 3-0.

C. Commissioner Kenner asked the Fiscal Court Clerk to read into the record Item VII. C: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING AND APPROVING ADDITIONAL PROJECT EXPENDITURES ASSOCIATED WITH THE LONGBRANCH ROAD RECONSTRUCTION PROJECT RELATING TO THE REQUIRED RELOCATION OF EXISTING UTILITY SYSTEMS WITHIN THE PROJECT LIMITS. Jeff Earlywine, County Administrator, explained this additional cost is associated with the Longbranch reconstruction project. It is a 3 lane section from Cooper High School running west to Camp Ernst Road with an additional turn lane. It will provide sidewalks for the students. The design work is complete but some poles on County property have to be moved. The cost is \$220,000 which \$65,000 was allocated to the project. We are asking for the additional \$154,000 for utility relocation. Commissioner Walton asked if lights were included in the design, Scott Pennington, County Engineer, responded, no lighting is in the design. Jeff Earlywine commented Transportation Grants often do not include lighting. He further indicated that the capital improvement fund has adequate reserves to pay for this additional work. Commissioner Flaig asked the distance of the sidewalk, Scott Pennington responded, 1,200-1,500 linear feet. Commissioner Walton moved,

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seconded by Commissioner Flaig, to approve the Resolution. Commissioner Kenner called for a vote on the motion, ALL PRESENT VOTING AYE 3-0.

D. Commissioner Kenner asked the Fiscal Court Clerk to read into the record Item VII. D: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AWARDING THE BID FOR A DRILLED SHAFT RETAINING WALL PROJECT ON RYLE ROAD TO SMITH CONSTRUCTION. Scott Pennington, County Engineer, stated this project is on Ryle Road, it is a 200 foot section where the slippage is bad. This is a long term solution. Jeff Earlywine, County Administrator, commented the County has received some emergency repair funds up to 50% of the final costs. Commissioner Walton moved, seconded by Commissioner Flaig, to approve the Resolution. Commissioner Kenner called for a vote on the motion, ALL PRESENT VOTING AYE 3-0.

E. Commissioner Kenner asked the Fiscal Court Clerk to read into the record Item VII. E: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING AN AGREEMENT WITH GRW ENGINEERS, INC., IN THE AMOUNT OF \$34,796.00 FOR ENGINEERING SERVICES FOR THE OLD UNION ROAD SIDEWALK PROJECT. Scott Pennington, County Engineer, explained this is a small sidewalk project on Old Union Road. GRW will create the design, one side is owned by the Unincorporated Boone County and the other side is owned by the City of Union. The City will pay their side of construction costs. Commissioner Walton moved, seconded by Commissioner Flaig, to approve the Resolution. Commissioner Kenner called for a vote on the motion, ALL PRESENT VOTING AYE 3-0.

ITEM VIII.

FISCAL MATTERS

A. Commissioner Kenner presented the Invoice Report dated January 13th, 2018 and pre-paid Invoice Reports dated January 25th and 29th and February 1st and 8th, 2018. Benjamin Reece, Treasurer, stated there is a \$5,000 check for RC Durr Foundation in this report with that amendment, which has been pulled and will not be on the report for approval. Commissioner Kenner moved, seconded by Commissioner Walton to approve the Invoice Reports. Commissioner Kenner called for a vote on the motion, ALL PRESENT VOTING AYE 3-0.

B. Commissioner Kenner presented the Golf Invoice Report dated January 13th, 2018 and pre-paid Golf Invoice Reports dated January 25th and February 1st, 2018. Commissioner Kenner moved, seconded by Commissioner Walton to approve the Golf Invoice Reports. Commissioner Kenner called for a vote on the motion, ALL PRESENT VOTING AYE 3-0

C. Jeff Earlywine, County Administrator, presented the FY2018 Second Quarter Budget Report. He stated there is a balance of \$31.5M in the general fund, 3.4% ahead of last year. We are at 52% of the forecast, no adjustments required. We have had a software issue and have been meeting with the vendor. We are looking for another vendor to partner with by the end of 2018.

ITEM IX.

OLD BUSINESS

Commissioner Kenner asked if there was any Old Business to come before the Court, none presented.

ITEM X.

NEW BUSINESS

Commissioner Kenner asked if there was any New Business to come before the Court, none presented.

Announcements:

Commissioner Kenner announced that all County Offices will be closed Monday, February 19th in recognition of President's Day. He congratulated the Walton Verona High School Basketball team as All-A State Runner up.

Commissioner Kenner announced the next meeting of the Fiscal Court will be Tuesday, February 27th, 2018 at 5:30 P.M.

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ITEM XI

ADJOURNMENT

Commissioner Kenner called for adjournment of the Fiscal Court Meeting. Commissioner Walton moved, seconded by Commissioner Flaig, to adjourn the meeting. ALL PRESENT VOTING AYE 3-0.

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 February 13, 2018.


Fiscal Court Clerk

Date: 28 February 2018