

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**September 11, 2018**  
**5:30 P.M.**

**ITEM I.**

**CALL TO ORDER**

- A. Judge/Executive Gary W. Moore Called to Order the meeting of the Boone County Fiscal Court. Judge Moore acknowledged the day being September 11<sup>th</sup>.
- B. Commissioner Charlie Walton 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  
Scott Pennington, County Engineer - Absent  
Benjamin T. Reece, Treasurer  
Lori Zombek, Director of Human Resources  
Col. Les Hill, Sheriff Department  
Sharon Burcham, Fiscal Court Clerk

**ITEM II.**

**APPROVAL OF MINUTES**

A. Judge Moore presented the Minutes from the August 28, 2018 Fiscal Court Meeting for approval. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Minutes from the August 28, 2018 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 Carrie Herrman, Executive Director of the Boone County Library. Ms. Herrman stated the tax will remain the same for real property at .528/\$100 and .534/\$100 for personal property. Boone County has the lowest tax rate of any public library in Northern Kentucky. She provided statistics of number of books checked out. Commissioner Kenner asked about summer reading programs, Ms. Herrman responded. Judge Moore asked the number of library cards the public had, Ms. Herrman responded 75,000. Judge Moore thanked Ms. Herrman for attending.

B. Judge Moore introduced Chief Barlow of the Burlington Fire Protection District. He stated they had 1,619 calls for ambulance last year and 916 for fire. The tax rate will stay the same for real property at .17/\$100 and .20/\$100 for personal. Discussion was had on fee for ambulance runs stated the charge covers the supplies used. Judge Moore thanked Chief Barlow for attending.

**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 BRANNEN McDONALD AND ALEXANDER COLE TO THE FULL-TIME POSITION OF TELECOMMUNICATOR FOR THE PSCC DEPARTMENT. Lori Zombek, Director of Human Resources, stated these applicants have background in security and service with a Fire Department. 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 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 USE OF SIDEWALKS AND MULTI-USE PATHS IN BOONE COUNTY, KENTUCKY. Matthew Webster, Assistant County Administrator, stated this Ordinance clarifies that motorized vehicles are prohibited on sidewalks and multi-use paths in the County. Judge Moore asked if there were any questions, none presented. 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.

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 ENACTING AND ADOPTING SUPPLEMENT 2018 S-21 TO THE CODE OF ORDINANCES FOR THE COUNTY OF BOONE, KENTUCKY. Jeff Earlywine, County Administrator, stated this is a housekeeping matter that is done each fiscal year documenting all Ordinances into a Code Book. Commissioner Flaig moved, seconded by Commissioner Walton, to approve the Ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

C. Judge Moore stated Item V. C was deferred at a previous meeting. Jeff Earlywine, County Administrator, stated the Staff has reviewed the Ordinance and recommends the Court to defer the action. The State requirements require eleven Federal safety features and one listed is that golf carts have a VIN number. Golf carts are not made with a VIN number, only a serial number. He indicated that low speed vehicles do come with VIN numbers. Discussion was had on amending the Statute. Judge Moore stated the County wants to improve safety and create guidelines on streets in the community, this has been requested by residents and property owners and we will continue to do diligence. Judge Moore asked if the Court would table the Second Reading. Commissioner Walton made the Motion to Table the Ordinance, seconded by Commissioner Kenner, to Table the Ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING AYE 4-0.

**ITEM VI.**

**JUDGE'S REPORT**

A. There were none at this time.

**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 DECLARING A 2011 FORD CROWN VIC AS SURPLUS AND DONATING IT TO THE WOMEN'S CRISIS CENTER. Jeff Earlywine, County Administrator, stated the Women's Crisis Center is a non-profit organization and they are in need of a used vehicle for transportation. We are asking to transfer this vehicle without compensation. 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 SELECTING THE FIRM OF MANAGEMENT PARTNERS AS THE PREFERRED CONSULTANT FOR THE COMPLETION OF MANAGEMENT SYSTEM REVIEW AND STRATEGIC PLANNING SERVICES FOR THE COUNTY. Jeff Earlywine, County Administrator, explained this consultant will provide a review of our management system, see how we perform work and serve the customers. The second part will be to provide a strategic planning session. We received two bids. After selection we will negotiate a fee. Judge Moore stated this is an external look at our structure, how we can be more efficient. Commissioner Flaig asked how long we would use the Consultant, Judge Moore 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.

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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 OFFICIALLY RENAMING A SECTION OF BAKER ROAD (THE SECTION LOCATED ALONG THE NORTHWEST SIDE OF U. S. 42 ACROSS FROM MILLER-OWENS ROAD) TO LOST BOULDER LANE. Matthew Webster, Assistant County Administrator, commented this is a small section of a County road, approximately 328 feet, with two homeowners. There are two Baker Roads in the County and the homeowners have requested we re-name the street. 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 AWARDDING THE BID FOR ASPHALT PAVING FOR GOLF CART PATHS, WALKING TRAILS, ACCESS ROADS AND PARKING LOTS TO RIEGLER BLACKTOP INCORPORATED AT THE TOTAL BID PRICE OF \$743,779.00 FOR THE PUBLIC WORKS DEPARTMENT. Matthew Webster, Assistant County Administrator, stated two bids were received, below total budget, this will cover both golf courses, and Central Park walking trails. 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.

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 AWARDDING THE BID FOR DESIGN-BUILD OF THE EXISTING TRUCK BARN RENOVATION TO TRI-STATE BUILDING, INC. AT THE TOTAL BID PRICE OF \$145,300.00 FOR THE PUBLIC WORKS DEPARTMENT. Jeff Earlywine, County Administrator, commented this will salvage and improve our large truck barn, we will be re-using much of the existing building. We received two bids, and this item is in the budget. Commissioner Flaig asked if the building was for storage, Jeff Earlywine responded, yes. 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.

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 AWARDDING THE BID FOR RECYCLING ROLL-OFF CONTAINERS AND ONE TRAILER TO PRO-TAINER, INC., AT THE TOTAL BID PRICE OF \$75,212.00 FOR PUBLIC WORKS. Jeff Earlywine, County Administrator, stated that grant funds were received from the State. 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.

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 APPROVING THE SELECTION OF GEOSTABILIZATION INTERNATIONAL LLC. TO PERFORM SOIL NAIL WALL REPAIRS AT A SLIDE AREA ON MUDLICK ROAD IN BOONE COUNTY AT THE COST OF \$88,667.50 THROUGH THE COMMONWEALTH OF KENTUCKY MASTER AGREEMENT. Jeff Earlywine, County Administrator commented the weather has not been kind to active slides. Judge Moore stated this repair would be completed by the soil nail wall method. 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.

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 AWARDDING THE BID FOR HARDCORT RESURFACING AND CRACK REPAIR FOR TENNIS COURTS AT CENTRAL PARK TO TENNIS TECHNOLOGY, INC. AT THE PRICE OF \$28,950.00 FOR THE BOONE COUNTY PARKS DEPARTMENT. David Whitehouse, Director of Parks, stated the Court approved repair for Boone Woods Park at the last meeting and now we are asking for Central Park, to be completed in 25 days. Judge Moore asked about scheduling during repair, David commented they have advised the leagues. 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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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 AWARDING THE BID FOR A 2018 ONE-TON CREW CAB 4x4 TRUCK TO JEFF WYLER CHRYSLER JEEP DODGE OF FT. THOMAS AT A BID PRICE OF \$36,632.00 FOR THE PARKS DEPARTMENT. David Whitehouse, Director of Parks, stated the original bid came in too high so we bid it again. The range falls within the budget. Commissioner Flaig asked what would be done with the old truck, David responded, it was totaled in an accident. 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.

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 APPROVING AN AMENDED AGREEMENT WITH THE BOONE COUNTY SCHOOL DISTRICT FOR THE COLLECTION OF OCCUPATIONAL LICENSE TAXES AND FEES ON BEHALF OF THE DISTRICT. Jeff Earlywine, County Administrator, stated this is an Agreement of terms between the County and the School Board for collection of Occupational License fees for the schools. There is a 0.5% payroll tax for the schools for people residing and working in the County. The County is the collection agent, there are no changes, just updating the Agreement. 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.

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 APPROVING THE UNAUDITED 2017 DISTRICT TAX SETTLEMENTS FOR ALL SPECIAL DISTRICTS FROM APRIL 18, 2017 THROUGH APRIL 17, 2018 FOR THE SHERIFF'S DEPARTMENT. Benjamin Reece, Treasurer, explained this is an annual process for approval, the County is the collecting agent. We did receive \$267.00 back from last year. 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.

L. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. L: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO RENEW AN EXISTING ANNUAL AGREEMENT WITH OHIO-KENTUCKY-INDIANA REGIONAL COUNCIL OF GOVERNMENTS (OKI) FOR THE PURPOSE OF PROVIDING FUNDING FOR THAT ORGANIZATION. Benjamin Reece, Treasurer, commented this is an Annual Agreement with OKI for federal funds. Judge Moore stated it is for Grants we receive for many projects through OKI with federal dollars. 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 VIII.** **FISCAL MATTERS**

A. Judge Moore presented the Invoice Report dated September 11<sup>th</sup>, 2018 and a pre-paid Invoice Report dated August 30<sup>th</sup>, 2018. 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 September 11<sup>th</sup>, 2018 and a pre-paid Golf Invoice Report dated August 30<sup>th</sup>, 2018. 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 Reports and Financial Statement for period ending July 31, 2018. Commissioner Kenner moved, seconded by Commissioner Walton to approve the Monthly Treasurer's and Interfund Transfer Reports and Financial Statement. 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 stated the Staff wanted to report on the Animal Shelter project. Colleen Bray, Director of the Animal Shelter shared the comprehensive study of the current facility, a needs assessment was completed by a professional firm. Preliminary designs have been completed, opinion of cost is \$6.4M, there is potential for savings. Matthew Webster, Assistant County Administrator, stated there is an opportunity to raise private funds, we are asking the County to authorize a fund raising campaign and permission to bid prices for a professional campaign. Discussion was had on funding and support. Judge Moore stated there was a large donation from an estate. Judge Moore asked if the Court would agree to move forward with this plan. Matthew Webster stated that donated funds would be used to pursue the fund campaign. The Court agreed to move forward.

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

**ITEM X.**

**NEW BUSINESS**

Judge Moore asked if there was any New Business to come before the Court. Ms. Julie Hengehold, a resident of the City of Florence addressed the Court with a concern she has regarding zoning for household chickens. Judge Moore asked the County Attorney if this was a role of the Boone County Fiscal Court. Robert Neace, County Attorney, commented that Ms. Hengehold should follow through with the litigation in the Courts. Judge Moore explained the operation of the Planning Commission. Commissioner Walton and Commissioner Flaig asked questions. Judge Moore stated the Fiscal Court has no authority, there would be no action by the Fiscal Court. Mr. Nathan Henderson of Florence also asked a question concerning the City of Florence Zoning laws. Mr. Bernie Kunkle of Walton asked a question. Mr. John Vance of Wyoming, Ohio made a comment.

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

**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.

**NEXT FISCAL COURT MEETING** - Tuesday, September 25<sup>th</sup>, 2018 @ 5:30 P.M.

**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 September 11<sup>th</sup>, 2018.

  
Fiscal Court Clerk

Date: 26 September 2018

**ANNOUNCEMENTS:**

Boone County Senior Picnic is tomorrow.  
Please keep the residents in the path of the hurricane in your prayers.