

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
September 25, 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
- B. Judge/Executive 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 - Absent
Scott Pennington, County Engineer - Absent
Benjamin T. Reece, Treasurer
Lori Zombek, Director of Human Resources
Maj. Gary Peace, Sheriff Department
Sharon Burcham, Fiscal Court Clerk

ITEM II.

APPROVAL OF MINUTES

A. Judge Moore presented the Minutes from the September 11, 2018 Fiscal Court Meeting for approval. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Minutes from the September 11, 2018 Fiscal Court Meeting, with no changes. Judge Moore called for a vote on the motion, MOTION PASSED AYE 3-0, Commissioner Walton was not in attendance.

ITEM III.

PRESENTATIONS

A. Judge Moore introduced Jerry Brown, Agent with the Boone County Cooperative Extension District for the presentation of their SPGE tax rates. Also in attendance was Diane Mason, Agent and John Walton, Chairman of the Board. The tax rate will be the same at 1.8 cents/\$100. Judge Moore shared compliments received on their facility, Farmer's Market and all services. Mr. Walton thanked the Court for their support.

Judge Moore advised that Commissioner Walton was in attendance.

Judge Moore recognized the Boone County Youth Cabinet in attendance. These were students in their Junior Year from various schools in the County.

ITEM IV.

PERSONNEL MATTERS

- A. There were no Personnel Matters.

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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, KENTUCKY, APPROVING, WITH CONDITIONS, THE REQUEST OF AL NEYER, INC./MATT BLANKENSHIP (APPLICANT) FOR KY 18 ACRES, LLC C/O PAUL VESPER (OWNER), FOR A ZONING MAP AMENDMENT FROM COMMERCIAL FOUR (C-4) TO URBAN RESIDENTIAL THREE (UR-3) FOR 12.8 ACRES, AND A ZONING MAP AMENDMENT FROM COMMERCIAL FOUR (C-4) TO INDUSTRIAL ONE (I-1) FOR 47.2 ACRES, BOTH WITHIN A 66.3 TOTAL ACRE TRACT THAT IS LOCATED ON THE NORTHEAST CORNER OF THE BURLINGTON PIKE/AERO PARKWAY INTERSECTION, ALONG THE SOUTH SIDE OF AERO PARKWAY, AND TO THE NORTH OF THE PROPERTIES AT 5945, 5965, 5975 AND 5985 CENTENNIAL DRIVE, AND 5785 CONSTITUTION DRIVE, BOONE COUNTY, KENTUCKY. THE REQUEST IS FOR TWO ZONE CHANGES TO ALLOW USES PERMITTED IN THE UR-3 AND I-1 ZONES. Mr. Kevin Wall from the Planning Commission presented this project with site selections, aerial photos and explained the entrances/exits. He stated there was a traffic impact study completed for this project. There was a discussion on access points. Judge Moore stated the Court would clarify before the second reading. Commissioner Flaig asked about utilities, water retention and truck parking, Mr. Wall responded. Jeff Earlywine, County Administrator, discussed the nine (9) conditions. Judge Moore stated the Second Reading will be October 9th.

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, KENTUCKY, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2018 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$4,400,000 (WHICH AMOUNT MAY BE DECREASED AS NECESSARY); APPROVING THE FORM OF BONDS; AUTHORIZING DESIGNATED OFFICERS TO EXECUTE AND DELIVER THE BONDS; PROVIDING FOR THE PAYMENT AND SECURITY OF THE BONDS; CREATING A BOND PAYMENT FUND; MAINTAINING THE HERETOFORE ESTABLISHED SINKING FUND; AUTHORIZING ACCEPTANCE OF THE BID OF THE BOND PURCHASER FOR THE PURCHASE OF THE BONDS; AND REPEALING INCONSISTENT ORDINANCES. Jeff Earlywine, County Administrator, stated these bonds were for the golf clubhouse renovation project, authorized value not to exceed \$4.4M. Commissioner Walton asked about obligation of the Court. Jeff Earlywine responded. Judge Moore stated the Second Reading will be October 23rd.

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, KENTUCKY, APPROVING WITH CONDITIONS, THE REQUEST OF MARC GLOYESKE (APPLICANT) FOR KREUTZJANS YEAGER PROPERTIES, LLC (OWNER) FOR A SPECIAL SIGN DISTRICT FOR A 2.69 ACRE SITE LOCATED ON THE NORTHEAST CORNER OF THE PETERSBURG ROAD/LINDBERG COURT INTERSECTION, BOONE COUNTY, KENTUCKY. THE REQUEST IS FOR A SPECIAL SIGN DISTRICT IN A COMMERCIAL TWO (C-2) DISTRICT (ZONING MAP AMENDMENT TO INDUSTRIAL ONE (I-1) IS PENDING) TO ALLOW ALTERNATIVE SIGNAGE. Judge Moore explained this Ordinance is for the Holiday Inn being built on KY 20 for a sign variance, to have lighting on the building. 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. There were none at this time.

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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 GARY W. MOORE, COUNTY JUDGE/EXECUTIVE TO SUBMIT TO THE KENTUCKY DEPARTMENT FOR LOCAL GOVERNMENT AN APPLICATION FOR \$200,000 IN RECOVERY KENTUCKY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR THE RECOVERY KENTUCKY PROJECT IN BOONE COUNTY. Judge Moore stated this is for the Brighton Center for Women. Dennis Elrod, Agent for the Block Grant was in attendance. Judge Moore recognized the 10 year anniversary of the Brighton Center. Commissioner Walton asked about the sidewalk project in the area, Judge Moore responded. 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 OPTION TO PURCHASE CERTAIN GOLF COURSE GROUNDS EQUIPMENT PURSUANT TO AN EXISTING LEASE AGREEMENT WITH WELLS FARGO AT A TOTAL COST OF \$57,800.00. Jeff Earlywine, County Administrator, explained the Staff negotiated a better price for this Lease to Purchase Agreement on mowers, groomers and other grounds equipment. This money was listed in the Budget. 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 AWARDING THE BID FOR THE BOONE LINKS CLUBHOUSE PROJECT TO GRAYBACH CONSTRUCTION FOR A TOTAL BID PRICE OF \$2,983,862.00. Judge Moore stated this is a remodel and expansion project for the Clubhouse to enhance golf outings, other events and generate revenue. Jeff Earlywine, County Administrator, explained original bids received were higher than anticipated, and ultimately rejected. To reduce costs the project was bid again, five (5) bids received, the Court accepted the lowest bidder and rejected two (2) of the four (4) alternate bids. Commissioner Walton asked that the revenue generated be reported to the Court. Commissioner Flaig asked a question about the plaza, Jeff Earlywine responded. 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 DECLARING THE UNION POOL FACILITY (EXCLUDING REAL PROPERTY) AS SURPLUS PROPERTY AND AUTHORIZING THE SALE AND LIQUIDATION OF ALL PERSONAL PROPERTY. Judge Moore explained during the planning of the Budget, the staff recommended the closing of the pool, the numbers were not there to operate the pool while costs increased and usage decreased. To bring the pool in compliance with ADA and numerous other upgrades would cost @ \$3M. At the season end we plan to not reopen the pool and liquidate the equipment. Jeff Earlywine, County Administrator, commented every asset has a life expectancy and with deferred maintenance, declining attendance and increase in cost to operate we ask to declare surplus and sell everything of value. The County will then clear the site to repurpose the property. Judge Moore asked if anyone in the audience wanted to comment. 1. Ms. Donna Mingerink; 2. Ms. Leslie Kittle and 3. Ms. Kim Weaver. These residents asked to table the Resolution and reconsider closing the pool. They asked for time to acquire grants and generate income for the operation of the pool. Commissioner Walton asked how much time they would need for a presentation. Judge Moore stated the income needed to be long term. Jeff Earlywine, County Administrator, commented the open records requested had been answered. Commissioner Flaig ask them to present their plan by the October 23rd Court date. Commissioner Flaig made the Motion to Table the Resolution until the October 23rd Court date, Commissioner Kenner seconded the Motion. Judge Moore called for a vote on the motion to Table the Resolution, 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 REPORTING AND AFFIRMING NO RESPONSE TO THE SOLICITATION OF BIDS FOR HISTORIC TAX CREDITS AND AUTHORIZING AND DIRECTING THE COUNTY STAFF TO PROCEED WITH INDIVIDUAL NEGOTIATIONS WITH OTHER INTERESTED PARTIES. Jeff Earlywine, County Administrator, explained this is for the Historic Courthouse tax credits that were awarded. No bids were received. 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 ADOPTING THE BOONE COUNTY JAIL WORKCAMP INMATE RULES AND REGULATIONS MANUAL. Judge Moore stated this is a housekeeping item to update the Manuals. 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.

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 ADOPTING THE BOONE COUNTY JAIL POLICIES AND PROCEDURES MANUAL, THE BOONE COUNTY JAIL PERSONNEL POLICIES AND THE BOONE COUNTY JAIL INMATE RULES AND REGULATIONS MANUAL. 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 25th, 2018 and a pre-paid Invoice Report dated September 13th, 2018. Commissioner Walton 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 September 25th, 2018 and a pre-paid Golf Invoice Report dated September 13th, 2018. Commissioner Flaig 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

C. Judge Moore presented the Monthly Treasurer's and Interfund Transfer Report and Monthly Financial Statement for period ending August 31, 2018. Commissioner Kenner moved, seconded by Commissioner Flaig 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

ITEM IX.

OLD BUSINESS

Judge Moore asked if there was any 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, none presented.

Judge Moore read a note from a resident that wanted to recognize the Burlington Fire EMT's and staff for their outstanding service and compassion exhibited when they came to her home on an ambulance call.

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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.

NEXT FISCAL COURT MEETING - Tuesday, October 9th, 2018 @ 8:30 A.M.

ANNOUNCEMENTS:

Judge Moore announced the Monthly Clean Up at Public Works, Saturday, September 29th from 8:00 AM – 2:00 PM, Monday, October 1st the burn ban ends for the County.

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 25th, 2018.


Fiscal Court Clerk

Date: 9 October 2018