

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
November 13, 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
Sheriff Department –Maj. Gary Peace
Sharon Burcham, Fiscal Court Clerk

ITEM II.

APPROVAL OF MINUTES

A. Judge Moore presented the Minutes from the October 23rd, 2018 Fiscal Court Meeting for approval. Commissioner Kenner moved, seconded by Commissioner Walton, to approve the Minutes from the October 23rd, 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 presented a Proclamation recognizing National Hunger and Homelessness Awareness Week. Ms. Kimberly Webb, Executive Director for the Emergency Shelter of Northern Kentucky accepted the Proclamation and expressed her appreciation for the recognition.

B. Judge Moore asked to present to the Court an updated report on the condition of Ryle Road and the technical components of the stability of the road. He advised there would be no decisions made this evening, this is just an informational report. Jeff Earlywine, County Administrator, gave an analysis of the studies that have been performed and introduced the team that has led the study. Mr. Earlywine stated the goal is to not impact the quality of life of the residents. Slides were shown regarding the background, challenges, previous studies, previous improvements and costs, an engineer's estimate of the future stability costs, reconstruction costs, the costs and benefits of the options and considerations. Judge Moore stated the Court would share with residents the next steps. The County would not use eminent domain. Judge Moore allowed members of the audience to speak:

1. Michael Moore, 13026 River Road, stop erosion on river side
2. David Horton, lives in the red section, can every homeowner vote on the decision
3. Lynn Pruitt, lives in the red section, asked about time frame
4. Barbara Mirlenbrink, 3950 River Bluff Road, asked for help with homes there
5. Mr. Ron Sterling, asked about statutes governing land

Discussion was had about flooding. Mr. Ted Vogelpohl from Geotech explained surface erosion. Judge Moore stated the Court would continue to study issue before making a decision and would advise owners of the date of the meeting when discussion was scheduled.

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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 D. SCOTT RANKIN TO THE POSITION OF NETWORK ADMINISTRATOR FOR THE DEPARTMENT OF INFORMATION SYSTEMS. Lori Zombek, Director of Human Resources, stated this is an open position due to the promotion of Jason Gamble. Judge Moore acknowledged that Scott was present. 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 BEVERLY CENTERS, TO THE POSITION OF FULL-TIME ADMINISTRATIVE ASSISTANT FOR THE ASSISTED HOUSING DEPARTMENT. Lori Zombek, Director of Human Resources, stated this was an open position. 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 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 PAVLA LINK TO THE FULL-TIME POSITION OF ASSISTANT VETERINARY TECHNICIAN FOR THE BOONE COUNTY ANIMAL CARE AND CONTROL CENTER. Lori Zombek, Director of Human Resources, stated this was a vacancy and Ms. Link has past experience. 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 RE-APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF CONNER RAY TO A SEASONAL POSITION IN MAINTENANCE FOR THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek, Director of Human Resources, stated this is a re-hire, Mr. Ray has worked as a seasonal. 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.

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, DENYING A REQUEST OF DREES COMPANY, MATT MAINS (APPLICANT) FOR AYLOR INVESTMENTS LIMITED PARTNERSHIP, RAYMOND O. GODSEY, JR., AND AKIN & MILLER LAND DEVELOPERS (OWNER) FOR A ZONING MAP AMENDMENT FROM RURAL SUBURBAN (RS) AND SUBURBAN RESIDENTIAL ONE (SR-1) TO SUBURBAN RESIDENTIAL THREE (SR-3) FOR A 44.7277 ACRE SITE LOCATED ON THE EAST SIDE OF OLD NORTH BEND ROAD, APPROXIMATELY 220 FEET SOUTH/SOUTHEAST OF THE BRITT DRIVE/OLD NORTH BEND ROAD INTERSECTION, TO THE NORTH, SOUTH, AND EAST OF THE PROPERTIES AT 1820 AND 1828 OLD NORTH BEND ROAD, AT THE TERMINUS OF CARDINAL WAY AND GRANDVIEW DRIVE, AND INCLUDING THE TRACT AT 1846 OLD NORTH BEND ROAD, BOONE COUNTY, KENTUCKY. THE REQUEST IS FOR A ZONE CHANGE TO ALLOW ATTACHED RESIDENTIAL CONDOMINIUMS. Judge Moore introduced Mr. Todd Morgan from Planning Commission who presented maps and descriptions of the development and stated the vote from the Planning Commission was 7-4 to deny the request in October, 2018. Judge Moore stated this was presented as 115 single family homes, the request now is for 76 two-bedroom condos and 86 three-bedroom condos with a total of 162 units. Judge Moore commented this is the first reading with no public comment, the second reading will be December 18th with the deadline being January 1st. Commissioner Kenner asked a question, Todd Morgan responded.

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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, KENTUCKY, APPROVING, WITH CONDITIONS, THE REQUEST OF DAVID M. BLAIR (APPLICANT) FOR BLAIR PROFESSIONAL CENTER (OWNER) FOR A ZONING MAP AMENDMENT TO ESTABLISH A SPECIAL SIGN DISTRICT FOR A 2.04 ACRE SITE LOCATED AT 1821 FLORENCE PIKE, BOONE COUNTY, KENTUCKY. THE REQUEST IS FOR A SPECIAL SIGN DISTRICT IN AN OFFICE ONE (O-1) DISTRICT TO ALLOW AN ELECTRONIC MESSAGE CENTER ON A MONUMENT SIGN. Judge Moore introduced Mr. Mike Schwartz from Planning Commission. Slides were shown of the present signage and the new requested signage. Commissioner Flaig asked the vote from Planning Commission, Mr. Schwartz responded unanimous. Judge Moore stated the second reading will be December 4th.

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 POLLY SCHADLER, RICHARD GERWE AND DUANE FROELICHER TO THE TAX BOARD ADVISORY ON AGING. 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.

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 APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE-EXECUTIVE, OF KEITH RITTINGER TO THE BOONE COUNTY EXTENSION DISTRICT BOARD. Judge Moore stated this is a new member that will be filling the position previously held by Mr. Bob Mauer and he is in favor of the replacement. 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 VI. C: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE RE-APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF BOB BOSWELL TO THE SANITATION DISTRICT NO. 1 BOARD OF DIRECTORS. Judge Moore stated Mr. Boswell asked to stay to follow through with some important negotiations. 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.

D. Judge Moore asked the Fiscal Court Clerk to read into the record Item VI. D: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF ALLEN R. JONES TO FILL THE VACANT FIREFIGHTER POSITION OF CHRIS MCKEE TO THE WALTON FIRE PROTECTION DISTRICT BOARD OF TRUSTEES. Judge Moore stated this appointment is to fill a vacancy of a Firefighter position. 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.

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 DESIGNATING THE DUTCH LIONS GROUP, LLC AS THE EXCLUSIVE PROJECT PARTNER FOR NEGOTIATIONS INVOLVING THE DEVELOPMENT OF THE HEMPFLING ORCHARD PROPERTY FOR BOONE COUNTY, KENTUCKY. Commissioner Flaig stated this property is part of a land donation from Mr. Hempfling. Jeff Earlywine, County Administrator, stated the County put out an RFP with only 1 response. This company has experience with soccer venues. Judge Moore stated this request is to approve moving forward with a design, any proposal to spend money will be brought back to the Court. Commissioner Flaig asked a question about flooding concerns. 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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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, AUTHORIZING THE ANNUAL ADJUSTMENT OF PAYMENT STANDARDS TO BE USED BY THE BOONE COUNTY ASSISTED HOUSING DEPARTMENT FOR THE CALENDAR YEAR 2019. Judge Moore introduced Ruth Tanner, Director of Assisted Housing. Ms. Tanner explained the rates that are submitted for approval. Jeff Earlywine, County Administrator, announced that our Assisted Housing Department under the direction of Ruth Tanner received the highest score available on the HUD audit. 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 AMENDED FEE SCHEDULE WITH VIOX & VIOX, INC, IN THE AMOUNT OF \$85,000.00 FOR THE BURLINGTON PUBLIC PLAZA PROJECT. Jeff Earlywine, County Administrator, stated this project is ready to move forward to design and final bids. There is an allotment of \$750,000 in the budget for this project. 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 MISCELLANEOUS ITEMS FROM THE PROPERTY MAINTENANCE DEPARTMENT AS SURPLUS. Matthew Webster, Assistant County Administrator, stated the Property Maintenance Department has declared miscellaneous items surplus and will place them on GovDeals.com. 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.

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 THE ACQUISITION OF SMART911 SOFTWARE PRODUCTS KNOWN AS "RAVE911" AND "RAPIDSOS" FOR THE PUBLIC SAFETY COMMUNICATION CENTER DISPATCHING CENTER IN BOONE COUNTY, KENTUCKY. Judge Moore introduced Jim Staverman, Director of PSCC, who explained the product. The program engages customers to put information into the service. Commissioner Flaig asked if it was voluntary, Mr. Staverman responded, yes. Judge Moore stated for the price of \$17,575, we will opt in. 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.

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 REJECTING ALL SUBMITTED BIDS FOR NEW PLAYGROUND EQUIPMENT AT FOX RUN PARK IN BOONE COUNTY, KENTUCKY. David Whitehouse, Director of Parks, explained the bids did not meet the specifications. We will send out to bid again. Commissioner Flaig asked where the park was located and the size of the park, Mr. Whitehouse responded about 5 acres, and it is a neighborhood park. 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.

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 A HIGH FRICTION SURFACE TREATMENT ONTO CAMP ERNST ROAD TO TRUESDELL CORPORATION AT THE BID PRICE OF \$95,595.00. Scott Pennington, County Engineer, explained due to the number of accidents on Camp Ernst, we are apply a high friction epoxy on the surface. There is funding in the budget to cover this expense. 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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ITEM VIII.

FISCAL MATTERS

A. Judge Moore presented the Invoice Report dated November 13th, 2018 and pre-paid Invoice Reports dated October 25th, October 29th, November 1st, November 6th and November 7th, 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 November 13th, 2018 and pre-paid Golf Invoice Reports dated October 25th and November 1st, 2018. Commissioner Kenner moved, seconded by Commissioner Walton 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, none presented.

ITEM X.

NEW BUSINESS

Judge Moore asked if there was any New Business to come before the Court. Commissioner Flaig announced the Christmas Light Show at the Boone County Fairgrounds.

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, November 27th, 2018 at 5:30 PM.

CLERK CERTIFICATION

I, Sharon Burcham, 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 November 13, 2018.

Date: 28 Nov 2018


Fiscal Court Clerk

ANNOUNCEMENTS:

Judge Moore announced the County Tree Lighting ceremony will be Friday, December 7th at 6:00 here at the Administration Building.