

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**March 12, 2019**  
**8:30 A.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.

Judge Moore announced that Boone County lost a key member of our County workforce this week. Kenny Brown, our County Clerk passed away Friday evening. A moment of silence was held in his honor. Judge Moore announced that Dawn Spritzky would be acting in charge as Clerk until a replacement is appointed.

- Present: Gary W. Moore, County Judge/Executive  
Cathy H. Flaig, Commissioner, District 1- absent  
Charles E. Kenner, Commissioner, District 2  
Jesse Brewer, 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 - absent  
Maj. Tom Scheben, Sheriff Department  
Sharon Burcham, Fiscal Court Clerk

**ITEM II.**

**APPROVAL OF MINUTES**

Judge Moore presented the Minutes from the February 19<sup>th</sup>, 2019 Fiscal Court Meeting for approval. Commissioner Brewer moved, seconded by Commissioner Kenner, to approve the Minutes from the February 19<sup>th</sup>, 2019 Fiscal Court Meeting, with no changes. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

Judge Moore announced that Commissioner Flaig would not be present this evening and Lori Zombek, Director of Human Resources is absent.

**ITEM III.**

**PRESENTATIONS**

- A. There were no Presentations at this time.

**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 JARED SCHILD TO THE FULL-TIME POSITION OF TELECOMMUNICATOR FOR THE PSCC DEPARTMENT. Jim Staverman, Director of PSCC was present and stated Mr. Schild is a firefighter. Commissioner Brewer asked a question regarding the number of open positions, Mr. Staverman responded. Commissioner Kenner moved, seconded by Commissioner Brewer, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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 MATT YOUNG AND KEN LOCKE TO THE SEASONAL POSITION OF TELECOMMUNICATOR FOR THE PSCC DEPARTMENT. Commissioner Brewer moved, seconded by Commissioner Kenner to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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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 JENNIFER HEATH, TO THE ACCOUNTS PAYABLE POSITION FOR THE FINANCE DEPARTMENT. Benjamin Reece, Director of Finance, explained this is an accounts payable position. Commissioner Brewer asked a question, Mr. Reece responded. Commissioner Kenner moved, seconded by Commissioner Brewer to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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 APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF SEASONAL RE-HIRES AND SEASONAL NEW HIRES FOR THE GROUNDS MAINTENANCE DEPARTMENT AT THE BOONE COUNTY GOLF COURSES. Matthew Webster, Assistant County Administrator, stated these are seasonal positions for ground maintenance that are filled each year. Commissioner Brewer moved, seconded by Commissioner Kenner to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

E. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV. E: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF DANIEL MUELLER, TO SENIOR ASSISTANT GROUNDS SUPERINTENDENT AT THE BOONE COUNTY GOLF COURSES. Matthew Webster, Assistant County Administrator, explained this is a promotion to fill the vacant position. Commissioner Kenner moved, seconded by Commissioner Brewer, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

F. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV. F: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF SEASONAL RE-HIRES AND SEASONAL NEW HIRES FOR THE PRO SHOP AND CONCESSIONS AT THE BOONE COUNTY GOLF COURSES. Commissioner Brewer moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

G. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV. G: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF WILLIAM D. FLETCHER TO THE SEASONAL POSITION OF PLANNER/TRAINER FOR THE BOONE COUNTY EMERGENCY MANAGEMENT DEPARTMENT. Mark Ihrig, Director of Emergency Management, commented this allows the Department to address two gaps in their work plan. Mr. Fletcher is very talented; the job will be 16 hours per pay period. Commissioner Brewer asked a question, Mr. Ihrig responded. Commissioner Brewer moved, seconded by Commissioner Kenner to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

H. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV. H: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF MIKAYLA PENNINGTON TO THE FULL-TIME POSITION OF ANIMAL CONTROL OFFICER FOR THE BOONE COUNTY ANIMAL CARE AND CONTROL CENTER. Matthew Webster, Assistant County Administrator, explained this is an open full-time position due to a resignation. Ms. Pennington has 2-years' experience and her AES License. Commissioner Brewer asked a question, Mr. Webster responded. Commissioner Kenner moved, seconded by Commissioner Brewer, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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I. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV. I: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF SEASONAL RE-HIRES AND A NEW HIRE IN MAINTENANCE AND LANDSCAPE STAFF FOR THE BOONE COUNTY PARKS DEPARTMENT. Matthew Webster, Assistant County Administrator, stated the Parks Department is ramping up for seasonals for upkeep of the parks. Commissioner Brewer asked the number of seasonals we hire each year, Mr. Earlywine, County Administrator, responded overall the County 245 full time employees, with seasonal the number increases to around 500. David Whitehouse, Director of Parks, stated the Parks Department had 141 seasonal employees last year. Commissioner Brewer moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

J. Judge Moore asked the Fiscal Court Clerk to read into the record Item IV. J: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF MICHAEL DAVID WORKS TO THE POSITION OF CODE ENFORCEMENT OFFICER FOR THE PUBLIC WORKS DEPARTMENT. Scott Pennington, County Engineer, commented over 100 applications were received for this position, we interviewed six. Commissioner Kenner moved, seconded by Commissioner Brewer to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

**ITEM V.**

**ORDINANCES**

A. Judge Moore asked the Fiscal Court Clerk to read into the record the First Reading of Item V. A: First Reading of AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, RECOMMENDING APPROVAL, WITH CONDITIONS, FOR A REQUEST OF VIOX AND VIOX, INC. (APPLICANT) FOR SUZANNE CRESS ESTATE, HERBERT H. CRESS AND CINDY L. CRESS (OWNERS) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM RURAL SUBURBAN ESTATES (RSE) TO SUBURBAN RESIDENTIAL ONE (SR-1) FOR AN APPROXIMATE 21.8 ACRE SITE LOCATED AT 7456 CAMP ERNST ROAD AND 488 CRESS COURT, BOONE COUNTY, KENTUCKY. Todd Morgan, Senior Planner from the Planning Commission presented a site vicinity map and the concept plan showing access on Camp Ernst Road and Cress Court, with 53 lots. Judge Moore stated this is the First Reading, April 9<sup>th</sup> will be the Second Reading. Commissioner Brewer asked a question regarding parking, Mr. Pennington responded. Discussion was held with Commissioner Brewer, Todd Morgan, Kevin Costello and Scott Pennington responding to questions.

B. Judge Moore asked the Fiscal Court Clerk to read into the record the First Reading of Item V. B: First Reading of AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, APPROVING, WITH CONDITIONS, A REQUEST OF LEGENDARY RIDGE PROPERTIES, LLC (APPLICANT) FOR ROSLYN WACHS TRUSTEE (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM RURAL SUBURBAN ESTATES (RSE) TO RURAL SUBURBAN ESTATES/PLANNED DEVELOPMENT (RSE/PD) FOR A 50.78 ACRE TRACT LOCATED ON THE NORTH SIDE OF BURLINGTON PIKE, BETWEEN THE PROPERTIES AT 3300 AND 3446 BURLINGTON PIKE AND ACROSS FROM THE BURLINGTON PIKE/SADDLE RIDGE DRIVE INTERSECTION, BOONE COUNTY, KENTUCKY. Mr. Kevin Wall, Zoning Administrator, presented slides showing retention of existing vegetation, the 59 building lots and explained the fence next to the stable. Discussion was had concerning the traffic study and the fencing.

C. Judge Moore asked the Fiscal Court Clerk to read into the record the First Reading of Item V. C: First Reading of AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY CREATING AN ENERGY PROJECT ASSESSMENT DISTRICT ("EPAD") WITHIN THE COUNTY PURSUANT TO THE PROVISIONS OF KRS 65.205-209 AND ESTABLISHING A PROGRAM TO ADVANCE CONSERVATION AND EFFICIENT USE OF ENERGY AND WATER RESOURCES. Jeffrey Earlywine, County Administrator, explained the product as an economic development tool. The County is not expected to place assessment on any tax bill. Mr. Chris Jones, from Energize Kentucky, stated there is no financial obligation by the County to participate.

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D. Judge Moore asked the Fiscal Court Clerk to read into the record the Second Reading of Item V. D: Second Reading of AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, PROVIDING FOR A CREDIT OF ITS OCCUPATIONAL LICENSE FEE FOR NEW EMPLOYEES AS PART OF AN ECONOMIC DEVELOPMENT PROJECT BY FLOTTWEG SEPARATION TECHNOLOGY, INC., UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM (KRS 154.32-010–KRS 154.32-100). Jeff Earlywine, County Administrator, explained this Company is located on Toebben Drive, they are expanding 25,000 square feet, adding 12 new jobs at \$46,000 per job. They invested \$2.5M in upgrades. They make equipment to separate solids and liquids. The County will offer 50% tax credit on their occupational license. Commissioner Brewer moved, seconded by Commissioner Kenner, to approve the Ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

**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 AUTHORIZING THE COUNTY JUDGE/EXECUTIVE TO EXECUTE THE SECOND AMENDMENT TO THE NORTHERN KENTUCKY DRUG STRIKE FORCE INTERLOCAL AGREEMENT DATED JANUARY 25, 2002. Jeff Earlywine, County Administrator, stated this is an update for the Interlocal Agreement for the Northern Kentucky Drug Strike Force. This will clarify the Board composition and cover insurance premiums for vehicles. Commissioner Brewer asked a question, Mr. Earlywine responded. Judge Moore commented that the Director, Chris Conner, has made a great impact. Commissioner Brewer moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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 AND CERTIFYING THE ACQUISITION OF RIGHT OF WAY ASSOCIATED WITH THE LITTON LANE SIDEWALK PROJECT. Scott Pennington, County Engineer, stated federal money has been provided for purchase of right-of-way for this project to various landowners. The sidewalk runs from #237 to the Amazon building. Commissioner Brewer asked a question, Mr. Pennington responded. Commissioner Kenner moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 2-0 with 1 abstention. Judge Moore abstained from voting as St. Elizabeth Hospital is one of the landowners.

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 THE FEE FOR PHASE II DESIGN SERVICES WITH AECOM IN THE AMOUNT OF \$132,997.00 FOR DESIGN OF THE LEFT TURN LANE ON CAMP ERNST ROAD AT LONGBRANCH ROAD. Scott Pennington, County Engineer, stated this project also involves federal funds, it is Phase 1 of the design and installation of the left turn lane on Longbranch/Camp Ernst. Commissioner Brewer asked a question, Judge Moore responded. Commissioner Brewer moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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 AWARDED THE BID TO STRUCTURED TECHNOLOGY FOR BUILDING SECURITY HARDWARE AND SOFTWARE UPGRADES FOR SECURITY AT BOONE COUNTY FACILITIES AT THE BID PRICE OF \$236,904.00. Matthew Webster, Assistant County Attorney, explained the system in place now is extremely antiquated. A review was completed by professional consultants and a new program was designed that can be expanded in the future. This is a budgeted expense. Commissioner Brewer asked a question, Mr. Webster responded. Commissioner Kenner moved, seconded by Commissioner Brewer, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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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 AWARDING THE BID TO TREE CARE, INCORPORATED, FOR A PERIOD OF ONE YEAR FOR TREE REMOVAL SERVICES ENDING MARCH 31, 2020 FOR THE COUNTY WITH UNIT PRICING. Matthew Webster, Assistant County Administrator, explained this bid is for tree felling and removal from the Emerald Ash Bore. We received three responses from the bid. Any department may use them while under contract. Commissioner Brewer asked a question, Mr. Webster responded. Commissioner Brewer moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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 DECLARING MISCELLANEOUS ITEMS FROM VARIOUS DEPARTMENTS AS SURPLUS. Matthew Webster, Assistant County Administrator, explained that Property Maintenance has identified items that are no longer in use and will be placed on the public auction GovDeals.com. Commissioner Kenner moved, seconded by Commissioner Brewer, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

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 ADDITIONAL PROJECT EXPENDITURES PURSUANT TO CHANGE ORDER #8 IN THE AMOUNT OF \$47,544.00 RELATING TO THE NORTHERN KENTUCKY REGIONAL PUBLIC SAFETY COMMUNICATION PROJECT AND A 3-COUNTY CONTRACT WITH MOTOROLA. Jim Staverman, Director of PSCC, stated this is at the Conrad Road site, they are making improvements for placement of a generator and a propane tank. Jeff Earlywine, County Administrator, stated it is documented by a Change Order. Commissioner Brewer moved, seconded by Commissioner Kenner, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

**ITEM VIII.**

**FISCAL MATTERS**

A. Judge Moore presented the Invoice Report dated March 12<sup>th</sup>, 2019 and pre-paid Invoice Reports dated February 19<sup>th</sup>, February 26<sup>th</sup> and February 28<sup>th</sup>, 2019 - A/R (ITEM VIII. A1, A2) Commissioner Kenner moved, seconded by Commissioner Brewer to approve the Invoice Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

B. Judge Moore presented the Golf Invoice Report dated March 12<sup>th</sup>, 2019 and pre-paid Golf Invoice Reports dated February 19<sup>th</sup> and February 28<sup>th</sup>, 2019 - Commissioner Brewer moved, seconded by Commissioner Kenner to approve the Golf Invoice Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

C. Judge Moore presented the Treasurer's Monthly Financial Report dated January 31, 2019, Inter-fund Transfer/Court Order and Statement of Revenues for January, 2019. Commissioner Kenner moved, seconded by Commissioner Brewer to approve the Golf Invoice Reports. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

**ITEM IX.**

**OLD BUSINESS**

Judge Moore introduced Kevin Costello, Director of Planning Commission to present the Boone County Comprehensive Plan update. Mr. Costello introduced Bob Jonus, Matt Becher and Bob Schwenke. He stated a public hearing was held and comments received from the public on the new plan. He talked about the new road projects happening and how the plan incorporated the new roads. Judge Moore asked about the future interchange for Petersburg. A discussion followed on planning for sewer in new areas. Judge Moore mentioned attainable housing. Jeff Earlywine, County Administrator, asked about truck parking. Mr. Schwenke shared the items now available on the website.

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**ITEM X.**

**NEW BUSINESS**

Jeffrey Earlywine, County Administrator asked to have a Motion to authorize the solicitation of bids for new vehicles for the Sheriff's Department in FY2020 to ensure timely delivery. The County would solicit bids and bring them before the Court to approve. Commissioner Brewer made the Motion to approve the funds, Commissioner Kenner seconded. Judge Moore called for a vote on the Motion, ALL PRESENT VOTING – AYE 3-0.

**ITEM XI.**

**ADJOURNMENT**

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

**NEXT FISCAL COURT MEETING** - Tuesday, March 26<sup>th</sup>, 2019 at 5:30 P.M.

**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 March 12, 2019.

\_\_\_\_\_  
**Fiscal Court Clerk**

**Date:** \_\_\_\_\_