

MINUTES
BOONE COUNTY FISCAL COURT
Boone County Administration Building
Fiscal Courtroom (1st Floor)
Burlington, Kentucky
August 25, 2020
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. Commissioner Cathy H. Flaig presented the Invocation and the Pledge to the Flag.

Present:

Gary W. Moore, County Judge/Executive
Cathy H. Flaig, Commissioner, District 1 - absent
Charles E. Kenner, Commissioner, District 2
Jesse A. Brewer, Commissioner, District 3
Robert Neace, County Attorney

Staff: Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive
Matthew H. Webster, Assistant County Administrator
Robert Franxman, County Engineer
Benjamin T. Reece, Treasurer - absent
Lori Zombek, Director of Human Resources
Sharon Burcham, Fiscal Court Clerk
Col. Les Hill, Sheriff Department

ITEM II.

APPROVAL OF MINUTES

A. Judge Moore presented the Minutes from the August 11th, 2020 Fiscal Court Meeting for approval. Commissioner Brewer moved, seconded by Commissioner Kenner, to approve the Minutes from the August 11th, 2020, Fiscal Court Meeting, with no changes or corrections. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0.

ITEM III.

PRESENTATIONS

A. 1. Judge Moore introduced Mr. George Moore from the Northern Kentucky Health District. Mr. Moore stated the Health Department supports public health programs and services and presented the tax rate as the same as last year, \$2.13 per \$100 assessed value, which will generate an estimated value of \$3.7M. Judge Moore asked the Fiscal Court Clerk to read into the record Item VII. B pertaining to the Health District: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT ACKNOWLEDGING RECEIPT OF THE PUBLIC HEALTH TAX RATE SET BY THE BOONE COUNTY PUBLIC HEALTH TAXING DISTRICT CREATED BY KRS 212.750 AND VERIFYING ITS PLACEMENT ON THE COUNTY TAX BILL. 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

2. Judge Moore introduced Mr. Greg Palmer, Treasurer of the Verona Fire Protection District Board of Trustees. Mr. Palmer stated the Fire Board voted to increase their tax rate from .192 to .200 per \$100 assessed value. They had additional expenses of new radios, new pagers, and have a need for new equipment which is scheduled to be replaced.

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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 PAUL STEPHENSON TO THE OPEN POSITION OF RESIDENTIAL PLANS EXAMINER FOR THE BOONE COUNTY BUILDING DEPARTMENT. Lori Zombek, Director of Human Resources acknowledged the retirement of Connie Becker and presented the new candidate. 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 IV B: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF SEASONAL NEW HIRES FOR THE MAINTENANCE DEPARTMENT AT THE BOONE COUNTY GOLF COURSES. Lori Zombek, Director of Human Resources, presented the new candidate. 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.

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 ALEXIS ADDINGTON AS A RETURNING SEASONAL EMPLOYEE FOR THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek, Director of Human Resources, presented the candidate. 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 IV D: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING THE APPOINTMENT, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE OF SHELBY CAMPBELL TO THE FULL-TIME POSITION OF PROPERTY MAINTENANCE TECHNICIAN/PLUMBER FOR THE PROPERTY MAINTENANCE DEPARTMENT. Lori Zombek, Director of Human Resources, presented the candidate. 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: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT AMENDING CHAPTER 50.010 and 50.212 OF THE BOONE COUNTY CODE OF ORDINANCES HAVING BEEN PREVIOUSLY ADOPTED BY ORDINANCE 1010.11 ON MAY 17, 1994, AND AMENDED BY ORDINANCE 09-96-01 ON SEPTEMBER 24, 1996, RELATED TO SOLID WASTE STORAGE CONTAINERS. Matthew Webster, Assistant County Administrator, stated this Ordinance will clean up language on two parts of our Code that deal with demolition waste.

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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, KENTUCKY, PROVIDING FOR A CREDIT OF ITS OCCUPATIONAL LICENSE FEE FOR NEW EMPLOYEES AS PART OF AN ECONOMIC DEVELOPMENT PROJECT BY FERRARA CANDY COMPANY UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM (KRS 154.32-010–KRS 154.32-100. Jeff Earlywine, County Administrator, stated this Ordinance is for an economic development incentive by Keebler Company, investing \$19M in expansion, with 75 new jobs with a salary range of \$56,000. Keebler was bought out by Ferrara Candy Company.

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 LEE RICKEY (APPLICANT) FOR PAUL F. MICHELS TRUST C/O CATHERINE MICHELS (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM COMMERCIAL ONE (C-1) TO COMMERCIAL SERVICES (C-3), AND TWO DIMENSIONAL VARIANCES FOR A 2.752 ACRE TRACT LOCATED ON THE NORTHWEST CORNER OF THE PLEASANT VALLEY ROAD/HAINES DRIVE INTERSECTION AND ACROSS PLEASANT VALLEY ROAD FROM THE INTERSECTION WITH LENDALE DRIVE (8495 PLEASANT VALLEY ROAD), BOONE COUNTY, KENTUCKY. Jeff Earlywine, County Administrator, stated this project has the Planning Commission's recommendation of unanimous approval with seven (7) conditions that involve the type of building material, lighting and signage. The access point was discussed pertaining to right/left turn in and out of the property. Commissioner Brewer asked for no left turn onto Pleasant Valley. Jeff Earlywine, County Administrator, stated the access permit is approved by the Kentucky Transportation Cabinet. Mr. Lee Rickey, owner of the project stated the Kentucky Engineer granted the access in and out of the property. Commissioner Brewer asked for a sign requesting no left turn out of the property onto Pleasant Valley Road. Rob Franxman, County Engineer, stated the Kentucky Transportation Cabinet has the authority over the Road and can evaluate the safety and accident history. Mr. Rickey commented the existing zone permit would allow greater traffic flow than his project. Commissioner Kenner asked to give access to both left and right turns from the property and monitor the traffic. Judge Moore stated the new development allows for boat and RV storage and removes them from communities. Commissioner Kenner moved to accept the Ordinance with the seven (7) conditions; Motion seconded by Judge Moore, to approve the Ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 2-1. Discussion was had regarding legalities of the vote, Robert Neace, County Attorney, stated the Motion does not pass since three (3) votes are necessary to enact an Ordinance. Judge Moore stated, the Planning Commission's recommendation of approval will carry the form of law at the end of the 90-day period to take action.

D. Judge Moore asked The Fiscal Court Clerk to read into the record the Second Reading of Item V. D: 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 WABCO USA LLC. UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM (KRS 154.32-010–KRS 154.32-100). Jeff Earlywine, County Administrator, stated this is a Boone County company located in Hebron. They manufacture parts for heavy trucks and braking systems. They have invested \$10-\$15M; offering 123 new jobs with a salary of \$39/hour including benefits. Commissioner Kenner moved, seconded by Commissioner Brewer, to approve the Ordinance. 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 the Second Reading of Item V. E: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, AMENDING ORDINANCE NO. 2019-17, ENACTED ON JULY 23, 2019, AND AMENDED ON NOVEMBER 26, 2019, RELATING TO THE USE OF GOLF CARTS ON CERTAIN DESIGNATED COUNTY STREETS AND ROADWAYS. Matthew Webster, Assistant County Administrator, stated this is a cleanup to align our Ordinance with the State guidelines of allowing golf carts on County roads after dark. 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. Judge Moore stated there are no appointments 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 APPROVING THE UNAUDITED 2019 DISTRICT TAX SETTLEMENTS FOR ALL SPECIAL DISTRICTS FROM APRIL 16, 2019, THROUGH MAY 15, 2020, FOR THE SHERIFF'S DEPARTMENT. 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.

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 AUTHORIZING AND DIRECTING 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. Matthew Webster, Assistant County Administrator, stated this Resolution gives permission to submit the Application for the Grant. 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 OF THE BOONE COUNTY FISCAL COURT APPROVING THE RENAMING OF THE STREET NAME FROM HICKS PIKE CONNECTOR ROAD TO DALE HEIMBROCK WAY LOCATED IN BOONE COUNTY, KENTUCKY. Matthew Webster, Assistant County Administrator, stated this Resolution involves the connector road at Route 42 and Hicks Pike. The owner of the Right Of Way asked that the County grant the name as he has ownership of the road. Judge Moore stated this is a short connector with no houses. 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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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 AUTHORIZING THE APPOINTMENT OF A VIEWING COMMITTEE REGARDING THE REQUEST TO VACATE A PORTION OF THE RIGHT-OF-WAY AT 9981 SPRUCE LANE, IN UNION, UNINCORPORATED BOONE COUNTY. Rob Franxman, County Engineer, stated this is an application for vacation of Right of Way and we are appointing the reviewing committee. The property has been vacant since 1962. 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 Reports dated August 25th, 2020 and pre-paid Invoice Reports dated August 13th and August 20th, 2020. 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 Reports dated August 25th, 2020 and pre-paid Golf Invoice Reports dated August 14th, 2020. 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.

ITEM IX. **OLD BUSINESS**

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

ITEM X. **NEW BUSINESS**

A. Robert Franxman, County Engineer – Update regarding Fall Clean-Up Program.
Judge Moore introduced Rob Franxman. Rob explained that due to COVID the Solid Waste program has lost manpower and the recycling/clean-up has had to cancel six events that estimate 5,000 loads of waste. To provide the Fall Cleanup to the residents, the County will offer 2,000 vouchers to use at Bavarian Waste. They County will pay \$25 per voucher and the expense will come through emergency funds of COVID. Commissioner Brewer asked a question, Mike Wilson, Director of Solid Waste responded.

B. Jeffrey Earlywine, County Administrator – 2020 Tax Rate Presentation
Jeff Earlywine presented slides and offered some options for strategic planning and goals for the future if a new tax rate is established. Judge Moore stated extending water to rural areas and offering broadband would be part of the plan. The Court agreed to advertise for a hearing date to consider a tax rate at or below the 4% growth rate. There was consensus that any and all increased revenue would be encumbered for this specific purpose. The Court also agreed to reschedule its regular meeting on September 22nd to the date of September 17th.

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ITEM XI.

ADJOURNMENT

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

NEXT FISCAL COURT MEETING – Tuesday, September 8th, 2020 at 5:30 P.M.

CLERK CERTIFICATION

The Fiscal Court Clerk does hereby certify that this is a true and accurate record of the actions taken during the Boone County Fiscal Court meeting of August 25th, 2020.


Fiscal Court Clerk

Date: 9 Sept 2020

Announcements:

Judge Moore shared condolences to the family of long-time Boone County resident Tom Schwartz, former Captain of the Boone County Police Department and owner of Tom's Papa Dino's Pizza who had passed this week.

Reminded the Court that the September 22nd, Court date would be moved to September 17th.