

MINUTES
BOONE COUNTY FISCAL COURT
Via VideoConference
December 22, 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.

Members of the Court Present:

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

Members of the Staff Present:

Jeffrey S. Earlywine, County Administrator/Deputy Judge/Executive
Matthew H. Webster, Assistant County Administrator
Robert Franxman, County Engineer
Benjamin T. Reece, Treasurer
Lori Zombek, Director of Human Resources
Sharon Burcham, Fiscal Court Clerk

Judge Moore asked the Fiscal Court Clerk to read into the Minutes the Meeting Notice: The Boone County Fiscal Court, pursuant to KRS 61.826 and OAG 20-05, will conduct its regularly scheduled meeting as a virtual Meeting. The meeting may be attended by the public by viewing the video teleconference on the County's home page at <https://boonecounty.viebit.com/index.php?folder=ALL> or via Spectrum CATV on Channel 203 and via FiOptics on Channel 831.

ITEM II.

APPROVAL OF MINUTES

A. Judge Moore presented the Minutes from the Fiscal Court Meeting of December 8, 2020 for approval. Commissioner Kenner moved, seconded by Commissioner Flaig, to approve the Minutes from the Fiscal Court Meeting of December 8, 2020. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 4-0.

B. Jeff Earlywine, County Administrator, gave an update regarding the Fiscal Court Meetings being held virtual and an option for the public to submit comments or questions. There is a form on the County webpage that can be used by anyone to submit a comment or question before the Court meeting by 5:00 PM the evening before the Court meeting. Jeff Earlywine stated that no questions or comments had been presented for today's meeting.

ITEM III.

PRESENTATIONS

A. Judge Moore introduced Justin Crigler, County Clerk to present his Budget. Justin shared the drop box locations. He introduced Rebecca Barth to present the year end totals and Budget Request for FY21, virtually the same as the FY20 approved Budget. Commissioner Flaig asked a question, Justin responded.

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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 COUNTY CLERK'S BUDGET, GENERAL TERM ORDER AND ANNUAL ORDER FOR SETTING THE MAXIMUM AMOUNT FOR DEPUTIES AND ASSISTANTS OF THE COUNTY CLERK'S DEPARTMENT FOR THE CALENDAR YEAR 2021. 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.

Judge Moore asked the Fiscal Court Clerk to read into the Record Item VII. B: A RESOLUTION OF THE BOONE COUNTY FISCAL COURT APPROVING A BUDGET AMENDMENT TO THE BOONE COUNTY CLERK'S FISCAL YEAR 2020 APPROVED BUDGET. County Clerk stated his office applied for a grant to use for new election voting equipment. Commissioner Brewer and Commissioner Flaig asked questions, Clerk Crigler responded. Commissioner Brewer moved, seconded by Commissioner Flaig, to approve the Resolution. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 3-0, Commissioner Kenner was absent during the vote.

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 NOLAN TACKETT AS THE SECOND ASSISTANT GOLF COURSE SUPERINTENDENT AT THE BOONE COUNTY GOLF COURSES. Lori Zombek, Director of Human Resources presented the candidate and congratulated Greg Combs on his retirement. Commissioner Brewer 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, APPROVING, WITH CONDITIONS, A REQUEST OF BURLINGTON BAPTIST CHURCH (OWNER) FOR A ZONING MAP AMENDMENT TO ESTABLISH A SPECIAL SIGN DISTRICT FOR AN APPROXIMATE 0.29 ACRE SITE LOCATED ON THE SOUTHWEST CORNER OF THE WASHINGTON STREET (KY 18)/JEFFERSON STREET (KY 338) INTERSECTION, BOONE COUNTY, KENTUCKY. Mike Schwartz, Planning Commission, presented pictures of the new sign, stated it was a unanimous approval with seven (7) conditions. Judge Moore asked a question, Mike responded. Jeff Earlywine, County Administrator, questioned if the sign was in the historic district of Burlington, Mike responded it was not. Commissioner Flaig asked a question, Mike responded. Judge Moore stated the proposed date of Second Reading will be January 26, 2021.

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, A REQUEST OF VIOX & VIOX, INC. (APPLICANT) FOR PROLOGIS LP (OWNER) FOR A CHANGE IN CONCEPT DEVELOPMENT PLAN IN A INDUSTRIAL ONE (I-1) ZONE FOR A 13.842 ACRE SITE LOCATED ON THE WESTSIDE OF LANGLEY DRIVE, TO THE EAST OF THE PROPERTY AT 3680 LANGLEY DRIVE, TO THE NORTH OF THE PROPERTY AT 3720 LANGLEY DRIVE, AND SOUTH OF THE BULLOCK LANE CUL-DE-SAC, BOONE COUNTY, KENTUCKY. Todd Morgan, Senior Planner of the Planning Commission presented the project showing the set back of the building and the addition of the fenced in storage lot. The Commission passed the project with a unanimous vote, with seven conditions. Judge Moore asked a

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question, Todd Morgan responded. Commissioner Flaig asked a question, Todd Morgan responded. Judge Moore stated the proposed date of Second Reading will be January 26, 2021.

C. Judge Moore asked the Fiscal Court Clerk to read into the record the First Reading of Item V. C: AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, AMENDING ORDINANCE NO. 2019-17, ENACTED ON JULY 23, 2019, AND ORDINANCE NO. 2020-19 AMENDED ON AUGUST 25, 2020, RELATING TO THE USE OF GOLF CARTS ON CERTAIN DESIGNATED COUNTY STREETS AND ROADWAYS IN THE RIVERS POINTE SUBDIVISION. Matthew Webster, Assistant County Administrator, stated this is another golf cart Ordinance presented to the Traffic Safety Committee from the Toeppen Development. The Committee recommended approval except for 1 of the listed streets. Judge Moore stated the proposed date of Second Reading will be January 26, 2021.

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, KENTCKY, AMENDING THE FISCAL YEAR 2020-2021 ALL FUNDS BUDGET ENACTED BY ORDINANCE NO. 2020-13 ADOPTED JUNE 23, 2020. Jeff Earlywine, County Administrator, explained this amendment is for the second COVID funding; CARES Act and to cover the construction costs for the remodeling of the Administration Building. He noted two adjustments made between the First and Second Reading of the Ordinance. Commissioner Kenner moved, seconded by Commissioner Brewer, 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. Judge Moore asked the Fiscal Court Clerk to read into the record Item VI. A: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AMENDING RESOLUTION NO. 2018-154 TO CORRECT THE TERM OF OFFICE TO JUNE 30, 2022, FOR KATE McCLAIN SERVING ON THE BOONE COUNTY PUBLIC LIBRARY BOARD OF TRUSTEES. Judge Moore stated this is to clean up the term date, it is not a new appointment. Term limits are set by statute. 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

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 AWARDDING THE BID FOR RENOVATIONS TO THE ADMINISTRATION BULDING AT THE BID PRICE OF \$248,135.10 TO CENTURY CONSTRUCTION. Mike Albrecht, Director of Property Maintenance, stated this bid award is to update six restrooms, to ADA compliance, which are original to the building. Renovations to the 2nd floor office space. Century Construction was the company that remodeled the Historic Courthouse for the County. Judge Moore asked a question, Mike responded. Commissioner Flaig and Commissioner Brewer asked a question, Mike 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 4-0.

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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 SELECTING CINCINNATI BELL AS THE EXCLUSIVE VENDOR FOR THE PURPOSE OF NEGOTIATING TERMS AND PROVISIONS OF A STRATEGIC PARTNERSHIP WITH BOONE COUNTY TO EXPAND HIGH SPEED BROADBAND SERVICES THROUGHOUT THE COUNTY. Judge Moore stated this Resolution involves the infrastructure fund created for Broadband and water. Matthew Webster, Assistant County Administrator, stated this will cover underserved and unserved areas of the County. This was an RFQ that stated goals to be met, not a bid. An Agreement will be presented to the Court when created. Commissioner Flaig asked a question, Judge Moore responded. Commissioner Flaig moved, seconded by Commissioner Brewer, 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 APPROVING THE TRANSFER OF CONTROL OF CINCINNATI BELL EXTENDED TERRITORIES, LLC., THE CURRENT HOLDER OF A COUNTY FRANCHISE FOR A CABLE SYSTEM, TO RED FIBER PARENT, LLC. Jeff Earlywine, County Administrator, stated Cincinnati Bell is being acquired by Red Fiber, purchasing the Cable TV unit; a transfer of ownership of the Franchise Agreement is required. Commissioner Kenner moved, seconded by Commissioner Brewer, 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 APPROVING THE RENEWAL AND EXTENSION OF A LEASE AGREEMENT WITH C&B MARINE, LLC FOR REAL PROPERTY OWNED BY THE COUNTY. Jeff Earlywine, County Administrator, stated this is the second extension of the five-year Lease with the County and C&B Marine. This is 7 acres of land along the Ohio River, next to the Hempfling Orchard property. Jeff also explained the Corp of Engineers permit to add barges in the Conrad Park area of the River. Commissioner Brewer 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 REJECTING ALL SUBMITTED BIDS FOR THE ACQUISITION OF REAL PROPERTY KNOWN AS THE MAPLEWOOD FACILITY LOCATED AT 3261 MAPLEWOOD DRIVE, BURLINGTON. Jeff Earlywine, County Administrator, stated that one bid was received for the property. The property is in need of capital maintenance. It is recommended that the bid be rejected. Commissioner Flaig asked a question, Jeff Earlywine responded. Jeff Earlywine commented that the NKYK CAC is still interested in negotiating with the County to find sale terms and a price that would be acceptable to the County. 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.

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 AUTHORIZING THE 2021 OFFICIAL FISCAL COURT MEETING SCHEDULE. 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.

Judge Moore asked Robert Neace, County Attorney, if the vote for Item IV. A could be changed to a 4-0 vote as Commissioner Kenner wants it noted that he voted for the Resolution. Mr. Neace agreed that the vote could be changed.

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Judge Moore announced that Richard Knock had passed away.

Recycle old Christmas String Lights – December 1st through February 1st – turn in at Bo Co Public Works or Bo Co Conservation District, lower level of Extension Office, 6028 Camp Ernst Rd.

Recycle Live Christmas Trees – Remove all ornaments, lights & ribbons – Saturday, January 9th – before 8:00 AM – at Enrichment Center, Lakeside Christian Church, Hebron; Stringtown Park, Florence; Union Park; Walton Park Visit www.bigbluebin.com