

**MINUTES**  
**BOONE COUNTY FISCAL COURT**  
**Boone County Administration Building**  
**Fiscal Courtroom (1<sup>st</sup> Floor)**  
**Burlington, Kentucky**  
**April 14, 2020**  
**8:30 A.M.**  
**Via VideoConference**

**ITEM I.**

**CALL TO ORDER**

Judge Moore asked the Fiscal Court Clerk to read into the record the Public Meeting Announcement: The Boone County Fiscal Court, pursuant to KRS 61.826 and OAG 20-05, will conduct its regularly scheduled meeting on Tuesday, April 14, 2020 @ 8:30 A.M. via video teleconference. This meeting format has been necessitated due to the state of emergency regarding the threats to public health presented by the novel Coronavirus (COVID-19) pandemic. The meeting may be attended by the public by viewing the video teleconference on the County's home page at [www.boonecountyky.org](http://www.boonecountyky.org) or via Spectrum CATV on channel 203 and via FiOptics on channel 831. The meeting agenda will be posted in advance of the meeting and residents may submit a question or comment regarding any item to the County Administrator ([jearywine@boonecountyky.org](mailto:jearywine@boonecountyky.org)) no later than Monday, April 13, 2020 @ 12:00 noon EST. Judge Moore explained that the Court was being held by videoconferencing due to the National Emergency declared by the President, Governor and Attorney General.

- 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 Via Teleconferencing:

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

Staff:

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  
Ruth Tanner, Director of Assisted Housing  
David Whitehouse, Director of Parks

**ITEM II.**

**APPROVAL OF MINUTES**

A. Judge Moore presented the Minutes from the March 10<sup>th</sup>, 2020 Fiscal Court Meeting for approval. Commissioner Flaig moved, seconded by Commissioner Kenner, to approve the Minutes from the March 10<sup>th</sup>, 2020 Fiscal Court Meeting, with no changes or corrections. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 4-0.

B. Judge Moore stated there are no Minutes for a meeting that was scheduled for March 24<sup>th</sup>, 2020 as the meeting was cancelled due to COVID-19.

**ITEM III.**

**PRESENTATIONS**

- A. There were no Presentations.

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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 NEW AND RETURNING CAMP COUNSELORS AND CAMP ASSISTANTS FOR THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek, Director of Human Resources, stated the Parks are not open at this time but we want to be ready and are asking for approval in advance. 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.

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 PAUL GESSNER, JOE MORGAN AND JOHN SCHAEFER TO THE SEASONAL POSITION OF ARBORETUM INTERN FOR THE BOONE COUNTY PARKS DEPARTMENT. Lori Zombek, Director of Human Resources, stated the Staff is maintaining the Arboretum by weeding and caring for the plants. Judge Moore stated the salaries are paid through the Extension Service. 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.

**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, PROVIDING FOR A CREDIT OF ITS OCCUPATIONAL LICENSE FEE FOR NEW EMPLOYEES AS PART OF AN ECONOMIC DEVELOPMENT PROJECT BY PERFETTI VAN MELLE USA, INC. UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM (KRS 154.32-010–KRS 154.32-100). Jeff Earlywine, County Administrator, stated this company is headquartered in Italy. They produce candy. This is an \$11M capital investment with 50 new Kentucky jobs with a salary of \$41,600. They will receive the 50% credit for occupational license. Judge Moore stated this is the First Reading with no Motion. Commissioner Flaig asked a question, Jeff Earlywine responded.

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, PROVIDING FOR A CREDIT OF ITS OCCUPATIONAL LICENSE FEE FOR NEW EMPLOYEES AS PART OF AN ECONOMIC DEVELOPMENT PROJECT BY FOUR O CORPORATION UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM (KRS 154.32-010–KRS 154.32-100). Jeff Earlywine, County Administrator, stated this company manufactures lubrication equipment for the trucking and transportation industry and are located on Kustom Drive in Hebron. They are investing a \$6.7M capital investment offering 25 new KY jobs with a salary of \$66,000 to receive the 50% credit for occupational license. Judge Moore stated the Second Reading will be May 12<sup>th</sup>.

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 VIOX & VIOX, INC. (APPLICANT) FOR AKRAM OTHMAN AND AMANI OTHMAN (OWNERS) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL ONE (SR-1) TO COMMERCIAL SERVICES (C-3), AND A DIMENSIONAL VARIANCE FOR A 2.62 ACRE PORTION OF THE PROPERTIES LOCATED AT 535, 541 AND 547 HUNTER ROAD AND 3067 HETZEL DRIVE, BOONE COUNTY, KENTUCKY. Judge Moore stated there are no changes to this Ordinance from the First Reading. Commissioner Brewer moved, seconded by Commissioner Kenner, to approve the Ordinance. Judge Moore called for a vote on the motion, ALL PRESENT VOTING - AYE 4-0.

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**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-APPOINTMENTS, BY GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, OF JIM TITUS AND EUGENE WEBER TO THE BOONE COUNTY BUILDING INSPECTOR APPEALS BOARD AND RICK WILSON AS AN ALTERNATE TO THE BOONE COUNTY BUILDING INSPECTOR APPEALS BOARD. Judge Moore stated these are reappointments to the Building Inspection Appeals Board and are selected to serve due to their profession. 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.

**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 SIGN AND EXECUTE ANY AND ALL DOCUMENTS RELATED TO, AND TO APPROVE THE ASSISTED HOUSING FIVE YEAR PLAN. Ruth Tanner, Director of Assisted Housing stated approval was being requested from the Fiscal Court. The Plan had been presented for 45 days for public view with no recommendations. Commissioner Flaig asked a question, Ruth Tanner 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.

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, AWARDING THE BID FOR A NEW INCINERATOR FOR THE SHERIFF'S OFFICE TO CONSUTECH SYSTEMS, LLC., AT THE BID PRICE OF \$56,390.00. Jeff Earlywine, County Administrator, stated the present incinerator is original to the building. It is used to destroy items that cannot be destroyed in conventional means due to legal/environmental reasons. One bid was received. This item is not in the FY20 work plan or budget. It is critical equipment and will be paid from reserves in Fund 97. 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 VII. C: A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT, AWARDING THE BID FOR THE DESIGN/BUILD FOR THE KY 18 BURLINGTON TRAFFIC SIGNALS TO BANSAL CONSTRUCTION, INC., /PALMER ENGINEERING AT THE BID PRICE OF \$396,399.81. Rob Franxman, County Engineer, stated this item is for decorative arm signals around the Burlington Commons project. Design and price were evaluated. We received 3 bids, completion date is November 25, 2020. Commissioner Flaig asked a question, Rob Franxman responded. This item was budgeted in 2020. Commissioner Brewer asked a question, Rob Franxman responded. Judge Moore stated the completion date for the Commons is June 1<sup>st</sup>. 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.

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 APPROVING CHANGE ORDER #18 IN THE AMOUNT OF \$18,114.80 RELATING TO ON-STREET COVERAGE TESTING FOR THE NORTHERN KENTUCKY REGIONAL PUBLIC SAFETY COMMUNICATION PROJECT CONTRACT WITH MOTOROLA. Jeff Earlywine, County Administrator, stated this involves the regional radio project with all 3 counties. This testing is to verify system reliability, coverage and signal strength. It covers the cost of multiple teams for testing, should be completed in late June, early July. 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.

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Judge Moore expressed his gratitude to the IT team for making this video conference a success. Thanked the team for all their hard work and support.

**ITEM VIII.** **FISCAL MATTERS**

A. Judge Moore presented the Invoice Report dated April 14<sup>th</sup>, 2020 and pre-paid Invoice Reports dated April 3<sup>rd</sup>, April 9<sup>th</sup> and April 10<sup>th</sup>, 2020. Commissioner Flaig moved, seconded by Commissioner Kenner 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 April 14<sup>th</sup>, 2020 and pre-paid Golf Invoice Reports dated April 3<sup>rd</sup>, April 9<sup>th</sup> and April 10<sup>th</sup>, 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 4-0.

**ITEM IX.** **OLD BUSINESS**

A. Judge Moore asked if there was any Old Business to come before the Court. Commissioner Brewer asked for an update on the Mt. Zion road project. Rob Franxman, County Engineer, responded. Judge Moore commented this is a State project. Commissioner Brewer inquired about the bid for the new bucket truck that was declined at our last meeting. Rob Franxman, County Engineer, stated new bids were opened yesterday.

**ITEM X.** **NEW BUSINESS**

A. Judge Moore asked if there was any New Business to come before the Court, none presented. Judge Moore shared the recommendations from the Health Department related to COVID-19 and provided websites for accurate information: [www.NKYhealth.org/coronavirus](http://www.NKYhealth.org/coronavirus); for Boone County and [KYCOVID19.KY.gov](http://KYCOVID19.KY.gov) from the State. The hotline number is 1-800-722-5725.

Judge Moore also encouraged the public to complete their Census on line. This data is used to determine representation in Frankfort and to balance the Commissioner districts in the County. The more population we account for the more funding we will receive.

**ANNOUNCEMENTS:**

Judge Moore commented on drive thru testing that may be available in the region this week, an Order from your Physician is needed for testing. Commissioner Flaig shared her note of Stay Home, Be Safe.

Jeff Earlywine, County Administrator, announced special recognition for Mary Ann Neltner, today marks her 40<sup>th</sup> anniversary of employment with the Boone County Parks Department.

**ITEM XI.** **ADJOURNMENT**

Judge Moore called for adjournment of the Fiscal Court Meeting. Commissioner Flaig moved, seconded by Commissioner Kenner, to adjourn the meeting. ALL PRESENT VOTING - AYE 4-0.

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NEXT FISCAL COURT MEETING – Tuesday, March 28th, 2020 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 April 14<sup>th</sup>, 2020.

  
Fiscal Court Clerk

Date: 28 April 2020