

MINUTES
BOONE COUNTY FISCAL COURT
Regular Meeting
February 4, 1986
3:00 P.M.

ITEM 1. CALL TO ORDER:

A Regular Meeting of the Boone County Fiscal Court was called to order on Tuesday, February 4, 1986, at 3:09 P.M., by Judge Bruce Ferguson, County Judge/Executive, in the Fiscal Courtroom, Administration Building, Burlington, Ky. Commissioner Raverty gave the Invocation. Judge Ferguson led in the Pledge of Allegiance.

PRESENT: Bruce Ferguson, County Judge/Executive
Patrick Raverty, Commissioner - District #1
Ronald Robinson, Commissioner - District #2
Larry Crigler, County Attorney

ABSENT: John Weaver, Commissioner - District #3

Judge Ferguson advised of Commissioner Weaver's absence being due to continued discomfort from leg pain of which his Doctors were requiring him to refrain from use for the next couple of days.

Judge Ferguson introduced the members of the Fiscal Court and briefed the Agenda items to be addressed during this meeting.

ITEM 2. MINUTES:

Judge Ferguson presented the Minutes of the Regular Meeting held 01/21/86. A motion was made by Patrick Raverty, seconded by Ronald Robinson to approve the Minutes as submitted. There being no discussion, Judge Ferguson called for a vote. Raverty voted AYE, Robinson voted AYE, Weaver was ABSENT, and Judge Ferguson's vote is to be recorded as AYE to reflect with the majority. The motion passed.

Judge Ferguson presented the Minutes of the Special Meeting held 01/28/86. A motion was made by Ronald Robinson, seconded by Patrick Raverty to approve the Minutes as submitted. There being no discussion, Judge Ferguson called for a vote. Robinson voted AYE, Raverty voted AYE, Weaver was ABSENT, and Judge Ferguson's vote is to be recorded as AYE to reflect with the majority. The motion passed.

ITEM 3. DELEGATIONS:

PUBLIC HEARING - HUNTER ROAD

Judge Ferguson called to order a Public Hearing at 3:11 P.M. and acknowledged advertising as published in the paper of record for the calling of same relative to a proposed partial road closure per the request of James Barth, property owner, for a portion of county road, namely Hunter Drive, at its intersection with Hetzel Drive and New Route 20 of which the location and description of said right-of-way is as follows; being variously described as 50-60 feet wide averaging about 140 feet in length running in an easterly direction from the northward projection of James B. Barth's west property line to the right-of-way of relocated Kentucky Route 20, the portion of the road proposed to be closed is abutted on its southside by James B. Barth for approximately 180 feet and on its northside by property said to belong to Michael Conner for approximately 90 feet. Judge Ferguson advised there had been no written and/or oral comment received in the office of the County Judge/Executive relative to the advertisement for the calling of this Public Hearing. Judge Ferguson confirmed there to be no one in the audience present to present verbal and/or oral comment relative to the proposed closure other than property owner James Barth. Judge Ferguson acknowledged the Viewers Committee Report as accepted by the Fiscal Court at its meeting held 01/21/86. Judge Ferguson recognized James Barth for open discussion with the Court relative to the Viewers Committee and proposed road closure. Judge Ferguson confirmed that the suggested guardrail consideration would be determined by the Road Supervisor, James Rudicill, after the proposed dirt fill had been completed by the property owner to determine the need and/or extent of guardrail. Mr. Barth confirmed his authority to purchase guardrail (...continued, Page [2]...)

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privately as long as same met specifications as deemed appropriate by the Road Supervisor. Judge Ferguson closed this Public Hearing at 3:16 P.M. Judge Ferguson recommended the partial closure of Hunter Drive as discussed and per the Viewers Committee Report accepted by the Court. A motion was made by Patrick Raverty, seconded by Ronald Robinson authorizing the partial road closure request of James Barth for Hunter Drive as described on a Viewers Committee Report accepted by the Court on 01/21/86 (said report being made part of the Minutes of 01/21/86 and referred to as Exhibit #1) of which the county would retain an existing 30 foot right-of-way for the purpose of an easement for public utilities and requiring guardrail to be the determination of the Road Supervisor. Following discussion, Judge Ferguson called for a vote. Raverty voted AYE, Robinson voted AYE, Weaver was ABSENT, and Judge Ferguson's vote is to be recorded as AYE to reflect with the majority. The motion passed. (See past Minutes of the Fiscal Court dated 10/22/85, 12/17/85, 01/21/86 - as relates to this issue.)

Judge Ferguson recognized Dennis MacDonald, Alexandria Contractors, Inc. and George Thelen, G.J. Thelen and Associates, Inc. relative to streets as proposed for adoption into the County Road Maintenance System. Said streets being Tensile Circle, Matthew Circle, and Douglas Drive of Strawberry Hill Subdivision (a.k.a. Featherstone East Subdivision). (See past Minutes of the Fiscal Court dated 06/04/85, 11/05/85, 12/03/85, and 01/21/86 relative to this issue.) Judge Ferguson recognized open discussion of the Court with the representatives present relative to the adoption of said streets and records as reviewed by the Fiscal Court to date relative to the project. Judge Ferguson also recognized Conrad Tobergte, Building Inspector, for open discussion with the Court relative to the on site inspections as made regarding the project of which Mr. Tobergte advised that his assistant at the time had made said inspections, but documentation of same was not on file in the Building Inspector's office due to the assistant's loss of a daily log book. Following discussion of the issue, Judge Ferguson recommended that the Court give consideration to the adoption of streets based upon the statement of the Developer and Engineer at this meeting and previous documentations of record to the Fiscal Court. Commissioner Raverty advised he had inspected said streets and requested time in order to consider a second inspection based upon discussions during this meeting. Commissioner Robinson advised of the need for the Fiscal Court to authorize additional core drillings for Matthew Circle, based upon discussions at this meeting, in order to better determine the adoption of said street into the system. Following open discussion of the Court with the representatives and Mr. Tobergte, Building Inspector, Judge Ferguson confirmed the consensus of the Court to bring the issue to its finalization at the meeting to be held 02/18/86. A motion was made by Patrick Raverty, seconded by Ronald Robinson authorizing the firm of G.J. Thelen and Associates, Inc. to provide additional core drillings of Matthew Circle to properly determine pavement thickness measurements and requesting that said report be made available to the Court by the 02/18/86 meeting. Judge Ferguson called for a vote. Raverty voted AYE, Robinson voted AYE, Weaver was ABSENT, and Judge Ferguson's vote is to be recorded as AYE to reflect with the majority. The motion passed. Judge Ferguson recognized Pat Wilson (she), Myers-Davis Development Company, Developer of said subdivision, for open discussion with the Court relative to streets to be proposed for adoption into the County Road Maintenance System from Section 3 of said subdivision at the 03/04/86 meeting of the Court. Judge Ferguson also confirmed the Developer's authorization to having additional core drillings made on Section 2 as just approved by motion of the Court relative to the issue. A motion was made Ronald Robinson, seconded by Patrick Raverty to amend the existing County Road Specifications Policy to require that the Building Inspector provide to Developers/Contractors of a project, a copy of all project inspections as made which would include the date and time of said inspection and provide comments relative to strength and thickness as the project is ongoing. Following discussion, Judge Ferguson called for a vote. Robinson voted AYE, Raverty voted AYE, Weaver was ABSENT, and Judge Ferguson's vote is to be recorded as AYE to reflect with the majority. The motion passed. Judge Ferguson recognized further discussion between the Contractor present with the Fiscal Court and relative on site inspections and need to have Contractors/Developers notified relative to inspection results after the project is one year old and prior to its being considered for adoption into the County Road Maintenance System. A motion was made by Patrick Raverty, seconded by Ronald Robinson to amend the existing County Road Specifications Policy to require that the Building Inspector be required to notify Developers/Contractors of the final inspection to be made on all new projects in writing the time, date, and result of all inspections and defects, if any, to be addressed prior to the Fiscal Court giving consideration (...continued, Page [3]...)