

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 JULY 9, 2009

3 The Owensboro Metropolitan Planning Commission
4 met in regular session at 5:30 p.m. on Thursday, July
5 9, 2009, at City Hall, Commission Chambers, Owensboro,
6 Kentucky, and the proceedings were as follows:

7 MEMBERS PRESENT: Drew Kirkland, Chairman
8 Judy Dixon, Vice Chairman
9 Gary Noffsinger, Director
10 Madison Silvert, Attorney
11 Tim Miller
12 Wally Taylor
13 Keith Evans
14 Rita Moorman
15 Ward Pedley

16 * * * * *

17 CHAIRMAN: I would like to welcome everybody
18 to the Owensboro Metropolitan Planning & Zoning
19 Commission meeting. Our invocation will be given by
20 Mr. Keith Evans. Would you please stand.

21 (INVOCATION AND PLEDGE OF ALLEGIANCE.)

22 CHAIRMAN: Our first order of business is to
23 consider the minutes of the June 11, 2009 meeting.
24 Are there any additions, corrections, questions?

25 (NO RESPONSE)

CHAIRMAN: Anything from the commission?

(NO RESPONSE)

CHAIRMAN: If not the chair is ready for a
motion.

1 MS. DIXON: Move to approve.

2 CHAIRMAN: Motion for approval by Ms. Dixon.

3 MR. TAYLOR: Second.

4 CHAIRMAN: Second by Mr. Taylor. All in favor
5 raise your right hand.

6 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

7 CHAIRMAN: Motion carries unanimously.

8 Next item please, Mr. Noffsinger.

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10 CELLULAR TELECOMMUNICATIONS FACILITIES
11 PER KRS 100.987

12 ITEM 2

13 101 Elm Street
14 Consider approval of a temporary wireless
15 telecommunications tower.
16 Applicant: City of Owensboro; GTE Wireless of the
17 Midwest, Inc.; d/b/a Verizon Wireless

18 MR. SILVERT: State your name, please.

19 MR. HOWARD: Brian Howard.

20 (BRIAN HOWARD SWORN BY ATTORNEY.)

21 MR. HOWARD: The applicant is seeking a
22 temporary Cellular on Wheels tower at the address of
23 101 Elm Street. The applicant had a structure in
24 place on the Executive Inn property, but due to
25 demolition of the structure, the tower must be
relocated. The applicant is seeking a permanent
location for the tower, but is requesting a temporary

1 location in order to prevent reduced phone coverage in
2 the area. The applicant provided coverage area maps
3 in the application showing the significantly reduced
4 coverage area if the tower on the Executive Inn
5 structure is not replaced after demolition of the
6 building. The applicant has requested the temporary
7 COW be in place for a maximum of nine months.

8 The tower is a 104 foot tall Cellular on
9 Wheels tower with related equipment. The applicant
10 proposes a 6 foot tall woven wire fence around the
11 compound and the application meets all requirements
12 related to illumination, staffing and signs. However,
13 due to the temporary nature of the tower, the
14 applicant has requested several waivers in regard to
15 site development requirements. The waivers include a
16 request to eliminate the requirement for three
17 additional co-locations, the six foot tall evergreen
18 tree screening requirement, and geotechnical report.
19 All waivers are reasonable based on the temporary
20 nature of the proposal.

21 The design standards meets all applicable
22 standards in regards to location from residential
23 structure setbacks. It's below the 200 foot maximum
24 height requirement. 104 feet.

25 As I said, they have requested the three

1 waivers on them. The geotechnical report since it
2 won't have a foundation. The co-location requirement
3 since it will only be place for nine months. And a
4 waiver of a six foot tall evergreen screening
5 requirements since it will only be in place for nine
6 months.

7 Some findings of fact is:

8 1. The application is complete with all
9 materials in accordance with the Owensboro
10 Metropolitan Zoning Ordinance;

11 2. The site is in compliance with all design
12 criteria of the Owensboro Metropolitan Zoning
13 Ordinance; and,

14 3. The temporary tower will continue to
15 provide cellular phone service to this area of the
16 county which would be lost after the tower on the
17 Executive Inn property is removed for building
18 demolition.

19 We would like to enter the Staff Report into
20 the record as Exhibit A.

21 CHAIRMAN: Is there anyone here representing
22 the applicant?

23 MR. PIKE: There is, Mr. Chairman.

24 CHAIRMAN: State your name, please.

25 MR. PIKE: David Pike.

1 (DAVID PIKE SWORN BY ATTORNEY.)

2 MR. PIKE: Mr. Chairman, as is my custom here,
3 first, it's always good to be back. I will also keep
4 this merciful brief.

5 However, I would like to take just a moment to
6 introduce the folks who are here with me to
7 underscore, although this is just a nine month
8 project, how important this is to us.

9 We have Kevin Cusano with Verizon. We have
10 Amy Harper with Verizon. Bill Vonolin, the
11 construction. Bill Duffy, our radio frequency
12 engineer. Tammy Pike and Debbie Rhoads from the site
13 acquisition company working on this project.

14 Let me try to explain, just to build a little
15 bit on what Staff said.

16 We're very grateful to the Staff Review. It
17 was done on an expedited basis and it was important
18 that it be expedited.

19 Recently, of course, due to the merger,
20 Verizon Wireless has now welcomed former Altel
21 customers into our network. This site served to those
22 customers. Of course, those are the antennas that you
23 can see on top of the former Executive Inn.

24 When that building is torn down, unless
25 something is done immediately, those customers in this

1 entire section of the city will lose all service.
2 What we're seeking to do here is provide a stop gap
3 measure that will allow us to facilitate a new
4 location.

5 By the way our current plan is that that new
6 location will be a co-location on an existing cell
7 tower in this area, but that can't be accomplished in
8 time in order to prevent an interruption of service.

9 So based on those circumstance we're asking
10 for this opportunity to provide a good continuity of
11 service and a good continuity of public protection for
12 people who have come rightfully to expect their cell
13 phones to works. Particularly in this area.

14 So given that opportunity we'll put this up
15 promptly. We're gratified that the city recognized
16 the importance of this effort and was willing to lease
17 this parcel to us. The geotechnical waiver, of
18 course, makes sense because there's no permanent
19 attachment to the ground here and it's configured to
20 be just that way.

21 If there are any questions, I'll be glad to
22 try to answer them. I would request a round of
23 applause for the brevity of my presentation.

24 CHAIRMAN: Very well done. You have reached
25 the limit, but you did very well.

1 The only question I would have, Mr. Pike, the
2 transition between the temporary and the permanent
3 site, obviously you've got a permanent site already
4 pretty much picked out?

5 MR. PIKE: We've picked out a location. It's
6 an existing AT&T tower, but as you would expect
7 there's a lot of documents that have to be filled out,
8 and it's not done until it's done.

9 What we would hope for is that we would wrap
10 that leasing process up in the next 60 days. Would
11 begin construction. Will turn on the new site and
12 take the temporary tower down, you know, beginning the
13 next day.

14 CHAIRMAN: So basically there will be no lapse
15 between the Executive Inn, the temporary, and then the
16 permanent?

17 MR. PIKE: That's our goal and it's the reason
18 why we were so gratified that Director Noffsinger's
19 team expedited this for us. Because we're racing to
20 make sure we can get all of this done before the
21 demolition occurs. At Verizon Wireless we say it's
22 all about the network and we're really serious about
23 that.

24 CHAIRMAN: We appreciate it.

25 To the Staff, thank you all very much for

1 putting this together and making it happen in a timely
2 manner.

3 Is there anybody in the audience or on the
4 commission that has a question? Anybody from the
5 audience?

6 Yes, sir.

7 MS. VINCENT: I would like to make a
8 statement, please.

9 CHAIRMAN: Would you step to the podium,
10 please.

11 MR. SILVERT: State your name, please.

12 MS. VINCENT: My name is Dorothy Vincent.

13 (DOROTHY VINCENT SWORN BY ATTORNEY.)

14 MS. VINCENT: I'm the owner of the Royce
15 Restaurant. My business and my business properties
16 are located across the street from the proposed tower.
17 I have operated my business since 1962 at this
18 location. I have watched the downtown area
19 deteriorate to all businesses in the area. They're in
20 an economic struggle for survival.

21 You as city and county government bought the
22 property in question to develop the riverfront
23 downtown. How is putting a tower in the middle of a
24 proposed development area advantageous to the
25 development of business and jobs for that area? I

1 hear that this will only be temporary, but from my
2 vantage point all I see is a proposal that somewhere
3 down the road becomes a stumbling block and creates a
4 reason to be possibly slow our development.

5 I urge you to keep to the original plan for
6 developing and not be short sighted to earn a buck
7 here or there. Keep the land for it's intended use
8 and that is for the creation of businesses and jobs to
9 extenuate growth in the Owensboro downtown area.

10 I feel like this is what we should do. Is
11 keep that area clear.

12 CHAIRMAN: Based on Mr. Pike's sworn
13 testimony, this is a temporary permit. A temporary
14 permit is brought about by the citizens of Owensboro
15 and Daviess County that will be in that area that will
16 be totally without cell phone service for six, eight,
17 whatever months it was, before Mr. Pike is able to
18 smoothly move his tower, which is currently on top of
19 the Executive Inn, to a currently existing tower. If
20 we did not do that, we would have a gap of service to
21 I don't know what range of service area that his
22 customers would be totally without.

23 MS. VINCENT: If you can be for sure that this
24 is only going to be temporary and not become a
25 permanent thing like so many times things do become

1 permanent when they say it's only temporary, then I'm
2 all for it.

3 CHAIRMAN: I think I'll bring Mr. Pike back.
4 I think his words will be even better than mine in
5 explaining that he has a temporary permit. He has
6 been awarded temporary use and certain criteria have
7 been waived for the good of the community so Mr. Pike
8 could offer service. I think Mr. Pike has no doubt
9 that he has a temporary permit, but I think it would
10 be better having him on the record and under oath to
11 state that again.

12 MS. VINCENT: He said there would be a lot of
13 paperwork to be worked out. Sometimes paperwork
14 fails.

15 CHAIRMAN: Mr. Pike will be, I will guarantee
16 you that he will expedite that. So I'll bring him
17 back, if you don't mind.

18 MS. VINCENT: Thank you.

19 CHAIRMAN: Mr. Pike, I think you understood
20 the concerns. I think, one, you need to address you
21 understand and you know that you have a temporary
22 permit. That getting this done as quickly as possible
23 is in your favor and your customers favor.

24 MR. PIKE: I'm always glad to have the stress
25 ratcheted up on Mr. Pike.

1 Just for everybody here from Verizon Wireless,
2 nobody has any doubt this is a temporary permit. This
3 is for nine months. Period.

4 VERIZON PEOPLE: Right.

5 MR. PIKE: I will tell you and I will
6 stipulate for the record this is a temporary permit.
7 It's nine months. We could have asked for longer than
8 that. We asked for nine months because that's in our
9 judgment what it's going to take to get this done.

10 I will tell you we have weekly conference
11 calls where we review all of our sites. Every call
12 opens and ends with this issue. Because an
13 interruption of service is simply unacceptable.

14 Ma'am, what I can tell you is nine months.
15 It's going to be nine months. Also by the way you're
16 going to have great cell service during that nine
17 months and afterwards. Because if we don't do this,
18 that's not going to be the case.

19 Does that do the job, Mr. Chairman?

20 CHAIRMAN: Thank you very much.

21 Because they've only got a nine month permit
22 to begin with. It is temporary.

23 MS. VINCENT: All right.

24 CHAIRMAN: The reason the Staff worked so hard
25 to put this together in a short period of time is for

1 the other citizens of Owensboro and Daviess County
2 that would be totally without cell phone link up in
3 that area. So it was to their benefit also. I
4 understand your situation with being a small business
5 owner and having that across from you, but it will be
6 there for a period of time and then it will be gone.
7 He understands the criteria he must meet.

8 Mr. Noffsinger, did we state that correctly?
9 That he has a nine month temporary permit?

10 MR. NOFFSINGER: Yes, sir, and it is a cell on
11 wheels. It's not a tower that's in the ground. So it
12 can be easily removed in and out very quickly.

13 CHAIRMAN: Are there any another questions?

14 (NO RESPONSE)

15 CHAIRMAN: If there are no further questions,
16 the chair is ready for a motion.

17 MR. MILLER: Mr. Chairman, motion for approval
18 based upon the application as stated and the findings
19 1 through 3 and this includes approval of the waivers
20 as stated, waivers 1, 2, and 3.

21 CHAIRMAN: We have a motion for approval by
22 Mr. Miller.

23 MR. PEDLEY: Second.

24 CHAIRMAN: Second by Mr. Pedley. All in favor
25 raise your right hand.

1 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

2 CHAIRMAN: Motion carries unanimously.

3 Next item, please.

4 ITEM 3

5 10799 Pup Creek Lane (Postponed at June 11, 2009
meeting.)

6 Consider approval of a wireless telecommunications
tower.

7 Applicant: GTE Wireless of the Midwest, Inc.; d/b/a
Verizon Wireless

8

9 MR. HOWARD: The applicant is seeking to
10 construct a cellular tower on the above referenced
11 property. The proposed tower location is on private
12 property located near the terminus of Pup Creek Lane.
13 The lease area for the cellular tower is 100 feet by
14 100 feet and the applicant has submitted a minor
15 subdivision plat to create the tract. There is an
16 existing private driveway extending from the terminus
17 of Pup Creek Lane that serves the subject property and
18 the adjoining property to the east. The applicant
19 proposes to extend the existing drive to serve the
20 cell tower lease area. All drives serving the site
21 are private and may not be used to meet minimum road
22 frontage requirements for the purposes of subdivision
23 of additional lots not meeting the requirements of the
24 subdivision regulations.

25 The tower is 195 foot tall monopole with a 4

1 foot lightening arrestor. The new tower structure is
2 designed to accommodate three additional co-locations.
3 In the application, the applicant stated that there
4 are no existing towers in the vicinity that would
5 allow for co-locations while still serving the needs
6 of the public. The site plan submitted with the cell
7 tower application shows the compound surrounded by an
8 8 foot tall woven wire fence. A double row of
9 staggered pine trees surrounds the site meeting the
10 minimum requirements of the zoning ordinance for
11 screening. Based on the height of the tower,
12 illumination will not be required.

13 The application meets the minimum requirements
14 of the Owensboro Metropolitan Zoning Ordinance. It
15 meets the distance from residential structures. It
16 meets all required setbacks at height, a height of 199
17 feet. It's below the maximum of 200 feet. The
18 screening requirement along with no signs. It's
19 designed for co-location. No waivers are requested.

20 Some findings:

21 1. The application is complete with all
22 materials in accordance with the Owensboro
23 Metropolitan Zoning Ordinance;

24 2. The site is in compliance with all design
25 criteria of the Owensboro Metropolitan Zoning

1 Ordinance;

2 3. The permanent tower will improve cellular
3 telephone service for users within the community; and,

4 4. By providing the opportunity for three
5 additional service providers on this tower, we are
6 promoting the goal of the Comprehensive Plan to
7 encourage co-location in order to minimize the number
8 of telecommunication towers.

9 I would like to enter the Staff Report into
10 the record as Exhibit B.

11 CHAIRMAN: Do we have somebody here
12 representing the applicant?

13 MR. PIKE: We do, Mr. Chairman. For the
14 record I'm David Pike.

15 If it isn't too much trouble, could I request
16 the chair to ask if there's anyone here in opposition
17 to this proposal?

18 CHAIRMAN: That will be my next question.
19 Thank you. Hold on just a minute.

20 Are there any questions?

21 (NO RESPONSE)

22 CHAIRMAN: Does the board have any questions?

23 (No response)

24 CHAIRMAN: If not the chair is ready for a
25 motion.

1 MS. DIXON: Move to approve based upon
2 findings 1 through 4.

3 CHAIRMAN: We've got a motion for approval by
4 Ms. Dixon.

5 MR. EVANS: Second.

6 CHAIRMAN: Second by Mr. Evans. All in favor
7 raise your right hand.

8 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

9 CHAIRMAN: Motion carries unanimously.

10 Next item, please.

11 Related Item:

12 ITEM 3A

13 10799 Pup Creek Lane (Postponed at June 11, 2009
14 meeting)
15 Consider approval of a minor subdivision plat.
16 Applicant: Ronald & Mildred Roberts; GTE Wireless of
17 the Midwest, Inc.; d/b/a Verizon Wireless.

18 MR. NOFFSINGER: Mr. Chairman, the applicant
19 has requested postponement of this item until the
20 August meeting of the Planning Commission which will
21 be the second Thursday in August due to the fact that
22 some of the property owners have not signed the plat.
23 So we would recommend that you vote to postpone this
24 item for the next meeting.

25 CHAIRMAN: The chair seeks a motion.

MR. EVANS: Motion to postpone.

CHAIRMAN: Motion for postponement by Mr.

1 Evans.

2 MS. MOORMAN: Second.

3 CHAIRMAN: Ms. Moorman has a second. All in
4 favor raise your right hand.

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: Motion carries unanimously.

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8 ZONING CHANGES

9 ITEM 4

10 5232 Lee Rudy Road, 22.415 acres
11 Consider zoning change: From P-1 Professional/Service
12 to A-U Urban Agriculture
13 Applicant: Nicholas P. Hayden Trust

14 MR. HOWARD: I will note that all rezonings
15 heard tonight will become final 21 days after the
16 meeting, unless an appeal is filed. Those appeal
17 forms are available on the back table, in our office
18 and on the web site. If an appeal is filed, then it
19 will be forwarded to the local legislative body for
20 consideration.

21 PLANNING STAFF RECOMMENDATIONS

22 Staff recommends approval because the proposed
23 zoning classification is more appropriate than the
24 current zoning classification. The findings of fact
25 that support this recommendation include the
following:

1 FINDINGS OF FACT:

2 1. The subject property is partially located
3 in an Urban Residential Plan Area, where rural
4 large-lot residential uses are generally not
5 recommended and partially located in a
6 Professional/Service Plan Area, where rural large-lot
7 residential uses are generally not recommended;

8 2. The professional/service use on the
9 property has been discontinued;

10 3. The applicant proposes to use the property
11 for personal recreational use and for a potential
12 future residence; and,

13 4. The proposed A-U Urban Agriculture zoning
14 is consistent with the zoning on all sides of the
15 subject property.

16 MR. HOWARD: We would like to enter the Staff
17 Report into the record as Exhibit C.

18 CHAIRMAN: Is there anybody here representing
19 the applicant?

20 MR. JACOBS: Marty Jacobs representing the
21 applicant. I've just appeared to answer any questions
22 anybody might have.

23 CHAIRMAN: Wait just a minute, Mr. Jacobs.

24 Are there any questions from anybody in the
25 audience?

1 (NO RESPONSE)

2 CHAIRMAN: Are there any questions from the
3 commission?

4 (NO RESPONSE)

5 CHAIRMAN: If not the chair is ready for a
6 motion.

7 MR. EVANS: Motion to approve based on
8 Planning Staff Recommendations and Findings of Fact 1
9 through 4.

10 CHAIRMAN: Motion for approval by Mr. Evans.

11 MS. MOORMAN: Second.

12 CHAIRMAN: Second by Ms. Moorman. All in
13 favor raise your right hand.

14 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

15 CHAIRMAN: Motion carries unanimously.

16 Thank you, Mr. Jacobs.

17 ITEM 5

18 Portion of 4906 Old Hartford Road, 1.650 acres
19 Consider zoning change: From A-U Urban Agriculture to
20 R-1A Single-Family Residential
21 Applicant: Margaret Holbrook; Independence Bank,
22 Trustee of the Marion H. Foor Trust U/W

23 PLANNING STAFF RECOMMENDATIONS

24 Staff recommends approval because the proposal
25 is in compliance with the community's adopted
26 Comprehensive Plan. The condition and findings of
27 fact that support this recommendation include the

1 following:

2 CONDITION:

3 Approval of a consolidation plat to
4 consolidate the subject property with 26 Stone Creek
5 Park.

6 FINDINGS OF FACT:

7 1. The subject property is located in an
8 Urban Residential Plan Area, where single-family
9 residential uses are appropriate in limited locations;

10 2. The proposed use meets the requirements
11 for urban residential development;

12 3. The proposed zoning change is a logical
13 expansion of existing R-1A zoning located to the north
14 and west; and,

15 4. The consolidated lot is served by sanitary
16 sewer.

17 MR. HOWARD: We would like to enter the Staff
18 Report into the record as Exhibit D.

19 CHAIRMAN: Is anybody here representing the
20 applicant?

21 APPLICANT REP: Yes.

22 CHAIRMAN: Does anybody have any questions of
23 the applicant?

24 (NO RESPONSE)

25 CHAIRMAN: Does anybody on the commission have

1 any questions?

2 (NO RESPONSE)

3 CHAIRMAN: If not the chair is ready for a
4 motion.

5 MR. PEDLEY: Mr. Chairman, I make a motion for
6 approval based on Staff Recommendations and Findings
7 of Fact 1 through 4 with the condition of approval of
8 a consolidation plat to consolidate the subject
9 property with 26 Stone Creek Park.

10 CHAIRMAN: We have a motion for approval by
11 Mr. Pedley.

12 MR. MILLER: Second.

13 CHAIRMAN: Second by Mr. Miller. All in favor
14 raise your right hand.

15 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

16 CHAIRMAN: Motion carries unanimously.

17 Next item, please.

18 ITEM 6

19 2611 Sunrise Drive, 0.225 acres
20 Consider zoning change: From R-1C Single-Family
21 Residential to B-4 General Business
22 Applicant: Sonrise Chapel, LLC

22 PLANNING STAFF RECOMMENDATIONS

23 Staff recommends approval because the proposal
24 is in compliance with the community's adopted
25 Comprehensive Plan. The condition and findings of

1 fact that support this recommendation include the
2 following:

3 CONDITION

4 Approval of an amended final development plan
5 and consolidation plat.

6 FINDINGS OF FACT

7 1. The subject property is located in an
8 Urban Residential Plan Area, where general business
9 uses are appropriate in very-limited locations;

10 2. The proposed use of the property for
11 school related activities is nonresidential in nature;

12 3. The proposed zoning change is a logical
13 expansion of existing B-4 zoning located to the north
14 and east; and,

15 4. The proposed expansion of B-4 zoning
16 should not overburden the capacity of roadways and
17 other urban services that are available in the
18 affected area.

19 MR. HOWARD: Would like to enter Staff Report
20 into the record as Exhibit E.

21 CHAIRMAN: Is anybody here representing the
22 applicant?

23 APPLICANT REP: Yes.

24 CHAIRMAN: Does anybody have any questions of
25 the applicant?

1 (NO RESPONSE)

2 CHAIRMAN: If not the chair is ready for a
3 motion.

4 MS. DIXON: Move to approve based upon
5 Planning Staff Recommendations, subject to the
6 condition and based upon Findings of Fact 1 through 4.

7 CHAIRMAN: Motion for approval by Ms. Dixon.

8 MR. TAYLOR: Second.

9 CHAIRMAN: Second by Mr. Taylor. All in favor
10 raise your right hand.

11 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

12 CHAIRMAN: Motion carries unanimously.

13 Next item, please.

14 -----

15 MINOR SUBDIVISIONS

16 ITEM 7

17 3400-3700 Blocks West 5th Street Road
18 Consider approval of a minor subdivision plat.
19 Applicant: City of Owensboro

20 MR. HOWARD: This plat comes before you to
21 create two tracts for drainage basins for the City of
22 Owensboro. The two tracts have no road frontage and
23 therefore it will require Planning Commission
24 approval. We've added notes to the plat that state
25 that the tracts are to be used for retention purposes
only. They're non-buildable lots.

1 So with that the Staff would recommend that
2 you grant the approval and enter it into the record
3 for that purpose.

4 CHAIRMAN: Is anybody here representing the
5 applicant?

6 APPLICANT REP: Yes.

7 CHAIRMAN: Does anybody have any questions of
8 the applicant?

9 (NO RESPONSE)

10 CHAIRMAN: If not the chair is ready for a
11 motion.

12 MR. PEDLEY: Mr. Chairman, I make a motion for
13 approval.

14 CHAIRMAN: Motion for approval by Mr. Pedley.

15 MR. EVANS: Second.

16 CHAIRMAN: Second by Mr. Evans. All in favor
17 raise your right hand.

18 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

19 CHAIRMAN: Motion carries unanimously.

20 The chair is ready for one final motion.

21 MS. DIXON: Move to adjourn.

22 CHAIRMAN: Motion for adjournment by Ms.
23 Dixon.

24 MS. MOORMAN: Second.

25 CHAIRMAN: Second by Ms. Moorman. All in

1 favor raise your right hand.

2 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

3 CHAIRMAN: We are adjourned.

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1 STATE OF KENTUCKY)
)SS: REPORTER'S CERTIFICATE
2 COUNTY OF DAVIESS)

3 I, LYNNETTE KOLLER FUCHS, Notary Public in and
4 for the State of Kentucky at Large, do hereby certify
5 that the foregoing Owensboro Metropolitan Planning
6 Commission meeting was held at the time and place as
7 stated in the caption to the foregoing proceedings;
8 that each person commenting on issues under discussion
9 were duly sworn before testifying; that the Board
10 members present were as stated in the caption; that
11 said proceedings were taken by me in stenotype and
12 electronically recorded and was thereafter, by me,
13 accurately and correctly transcribed into the
14 foregoing 25 typewritten pages; and that no signature
15 was requested to the foregoing transcript.

16 WITNESS my hand and notary seal on this the
17 27th day of July, 2009.

18

19

LYNNETTE KOLLER FUCHS
OHIO VALLEY REPORTING SERVICES
202 WEST THIRD STREET, SUITE 12
21 OWENSBORO, KENTUCKY 42303

22

COMMISSION EXPIRES: DECEMBER 19, 2010

23

COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY

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