

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 MARCH 9, 2006

3 The Owensboro Metropolitan Planning Commission
4 met in regular session at 6:00 p.m. on Thursday,
5 February 9, 2006, at City Hall, Commission Chambers,
6 Owensboro, Kentucky, and the proceedings were as
7 follows:

8 MEMBERS PRESENT: Drew Kirkland, Chairman
9 Gary Noffsinger
10 Dave Appleby
11 Scott Jagoe
12 Tim Miller
13 Irving Rogers
14 Jimmy Gilles
15 Nick Cambron
16 Judy Dixon
17 Dr. Mark Bothwell
18 Martin Hayden
19 Stewart Elliott, Attorney
20 Madison Silvert, Attorney

21 CHAIRMAN: I would like to welcome everybody
22 to our Owensboro Metropolitan Commission Planning
23 meeting for March 9, 2006. Everybody stand for our
24 invocation which will be given by Dr. Mark Bothwell.

25 (INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: Our first order of business tonight
is to consider the minutes from the February 9, 2006
meeting. Are there any corrections, additions?

(NO RESPONSE)

CHAIRMAN: Any questions from the commission?

(NO RESPONSE)

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

3 MS. DIXON: Move to approve.

4 CHAIRMAN: Motion for approval by Ms. Dixon.

5 MR. MILLER: Second.

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

8 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

9 CHAIRMAN: Motion carries unanimously.

10 Next item, Mr. Noffsinger.

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12 ZONING CHANGES - CITY

13 ITEM 2

14 Portion of 831 Clay Street, 0.00039 acres
15 Consider zoning change: From B-4 General
16 Business to R-4DT Inner-City Residential.
Applicant: Simpson Investments, Inc.

17 MR. ELLIOTT: State your name for the record,
18 please.

19 MR. HOWARD: Brian Howard.

20 (MR. BRIAN HOWARD SWORN BY ATTORNEY.)

21 PLANNING STAFF RECOMMENDATIONS

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

1 following:

2 CONDITION: Consolidation of the subject
3 property, 17 square feet, to 827 Clay Street.

4 FINDINGS OF FACT:

5 1. The subject property is located in a
6 Central Residential Plan Area, where urban low-density
7 residential uses are appropriate in general locations;

8 2. The subject property is adjacent to
9 residential uses to the north, south, east and west;

10 3. The applicant's request promotes the
11 Comprehensive Plan's housing goals to preserve
12 neighborhoods and housing within the inner-city; and,

13 4. The applicant's proposal will bring the
14 newly constructed single-family dwelling located at
15 827 Clay Street into conformance with the Owensboro
16 Metropolitan Zoning Ordinance when consolidated with
17 the subject property.

18 MR. HOWARD: We would like to enter the Staff
19 Report as Exhibit A.

20 CHAIRMAN: Is anybody representing the
21 applicant?

22 (NO RESPONSE)

23 CHAIRMAN: Does anybody have any questions.

24 (NO RESPONSE)

25 CHAIRMAN: If not the Chair is ready for a

1 motion.

2 MS. DIXON: Move to approve based on Planning
3 Staff Recommendations and Findings of Fact 1 through 4
4 and the condition.

5 CHAIRMAN: Motion for approval by Ms. Dixon.

6 MR. HAYDEN: Second.

7 CHAIRMAN: Second by Mr. Hayden. All in favor
8 raise your right hand.

9 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

10 CHAIRMAN: Motion carries unanimously.

11 Next item, please.

12 ITEM 3

13 930 Oglesby Street, 0.266 acres
14 Consider zoning change: From R-4DT Inner-City
15 Residential to B-5 Business/Industrial
Applicant: K&R Commercial Properties, LLC

16 PLANNING STAFF RECOMMENDATIONS

17 Staff recommends approval because the proposal
18 is in compliance with the community's adopted
19 Comprehensive Plan. The findings of fact that support
20 this recommendation include the following:

21 FINDINGS OF FACT:

22 1. The subject property is located within a
23 Business/Industrial Plan Area, where general business
24 and light industrial uses are appropriate in general
25 locations;

1 2. The subject property lies within an
2 existing area of mixed residential, professional and
3 light industrial uses;

4 3. The Comprehensive Plan provides for the
5 continuance of mixed use areas; and,

6 4. The proposed land use for the subject
7 property is in compliance with the criteria for a
8 Business/Industrial Plan Area and a B-5
9 Business/Industrial zoning classification.

10 MR. HOWARD: We would like to enter the Staff
11 Report as Exhibit B.

12 CHAIRMAN: Do we have anybody here
13 representing the applicant?

14 APPLICANT REP: Yes.

15 CHAIRMAN: Do we have any questions of the
16 applicant?

17 (NO RESPONSE)

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

20 MR. ROGERS: Motion for approval based on
21 Planning Staff Recommendations and Findings of Facts 1
22 through 4.

23 CHAIRMAN: We have a motion for approval by
24 Mr. Rogers.

25 MS. DIXON: Second.

1 CHAIRMAN: Second by Ms. Dixon. All in favor
2 raise your right hand.

3 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

4 CHAIRMAN: Motion carries unanimously.

5 Next item, please.

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7 ZONING CHANGES - COUNTY

8 ITEM 4

9 4524 Honeysuckle Lane, 16.23 acres
10 Consider zoning change: From R-1A
11 Single-Family Residential and A-U Urban Agriculture to
12 A-U Urban Agriculture
13 Applicant: Gary M. Boswell, Margaret L.
14 Boswell

15 PLANNING STAFF RECOMMENDATIONS

16 Staff recommends approval because the
17 historical use of the subject property has been
18 agricultural in nature and the majority of the subject
19 property is currently zoned A-U, with only a small
20 portion zoned R-1A. The A-U zoning classification is
21 a more appropriate zoning classification for the
22 property given the historical and proposed use. The
23 R-1A zoning classification is not an appropriate zone
24 for agriculture use. The findings of fact that
25 support this recommendation include the following:

26 FINDINGS OF FACT:

27 1. The subject property is located in an

1 Urban Residential Plan Area where agricultural uses
2 are generally not appropriate;

3 2. Agricultural uses have been active on the
4 subject property since the 1950's;

5 3. The road frontage along this portion of
6 Thruston-Dermont Road was originally zoned R-1A and
7 only a small portion of the single-family residential
8 zoning remains on the subject property; and,

9 4. Based on the historical and proposed use
10 of the subject property, an agricultural zoning is
11 more appropriate for the entire tract than an R-1A
12 zoning classification.

13 MR. HOWARD: We would like to enter the Staff
14 Report as Exhibit C.

15 CHAIRMAN: Is anybody here representing the
16 applicant?

17 APPLICANT REP: Yes.

18 CHAIRMAN: Does anybody have any questions of
19 the applicant?

20 MR. BOARMAN: Yes.

21 MR. ELLIOTT: State your name, please.

22 MR. BOARMAN: Joe Boarman.

23 (MR. JOE BOARMAN SWORN BY ATTORNEY.)

24 MR. BOARMAN: The only thing that bothers me
25 is what's going to happen down the road. If we let

1 this thing in here, what's going to happen to the rest
2 of the property. I live across the street. That's
3 the only thing that worries me.

4 CHAIRMAN: Mr. Boarman, let me bring somebody
5 to the mike.

6 Mr. Boswell.

7 MR. ELLIOTT: State your name, please.

8 MR. BOSWELL: Gary Boswell.

9 (MR. GARY BOSWELL SWORN BY ATTORNEY.)

10 CHAIRMAN: Mr. Boswell, his question was he's
11 concerned what will happen to the neighborhood down
12 the road. What are your long-term plans of this
13 project?

14 MR. BOSWELL: I've talked with Mr. Boarman
15 about this and I understand his concerns and I'm
16 sympathetic with his concerns.

17 All we're trying to do with this little sliver
18 of land here that's still zoned R-1A that has two
19 building on it, it's my intention, after this zoning
20 is approved, if it is approved, to apply for a
21 conditional use permit to allow a landscaper to lease
22 some of that property. That's the only plans I have
23 for the property. Of course, long-term I hope there
24 will be a subdivision of some type there, but not
25 probably not for several years.

1 CHAIRMAN: Mr. Boarman.

2 MR. BOARMAN: Also what about the traffic in
3 and out of there? You know, it's a very narrow road.
4 There's going to be - - even though the guys, it won't
5 be a commercial use, but the guys traveling in and out
6 of there every day, you know.

7 CHAIRMAN: Mr. Boswell.

8 MR. BOSWELL: Do you want to talk about the
9 conditional use permit?

10 CHAIRMAN: Is your question with regards to
11 the traffic?

12 MR. BOARMAN: Yes.

13 CHAIRMAN: Mr. Boswell really doesn't have to
14 - - well, let me ask: Mr. Noffsinger, would you
15 address that, please.

16 MR. NOFFSINGER: The majority of this property
17 is currently zoned A-U Urban Agricultural. There's
18 just a sliver of property near Thruston-Dermont Road
19 that is zoned R-1A Single-Family Residential.

20 Tonight the Planning Commission is only
21 considering the zoning of the property. There will
22 be, if this rezoning is approved, there will be
23 another opportunity for questions such as this to be
24 addressed to the board of adjustment. That is a
25 different board from this board. That board will take

1 a look and review the plans of the applicant and
2 address items such as access and how the property is
3 going to be used. Right now the applicant could
4 submit an application for a conditional use permit on
5 any area of this property that's zoned A-U Urban
6 Agricultural. However, it just so happens that the
7 portion he'd like to use for the landscaping business
8 is zoned R-1A.

9 We're trying to clean up that zoning issue so
10 that they can come before the board of adjustment with
11 the conditional use permit. At that time they will be
12 required to have a site plan and we can address some
13 of those concerns you might have.

14 MR. BOARMAN: That will be fine. Thank you.

15 CHAIRMAN: Mr. Boarman, do you have any
16 further questions?

17 MR. BOARMAN: No, sir. Thanks.

18 CHAIRMAN: Are there any further questions
19 from the audience?

20 (NO RESPONSE)

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

23 MR. CAMBRON: Motion for approval, Mr.
24 Chairman, based on the Findings of Fact 1 through 4.

25 CHAIRMAN: Motion for approval by Mr. Cambron.

1 MR. APPLEBY: Second.

2 CHAIRMAN: Second by Mr. Appleby. All in
3 favor raise your right hand.

4 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

5 CHAIRMAN: Motion carries unanimously.

6 Next item, please.

7 ITEM 5

8 7061 KY 2830, 14.41 acres

9 Consider zoning change: From I-2 Heavy
10 Industrial and B-4 General Business to I-2 Heavy
Industrial

11 Applicant: River Metals Recycling, LLC

12 PLANNING STAFF RECOMMENDATIONS

13 Staff recommends approval because the proposal
14 is in compliance with the community's adopted
15 Comprehensive Plan. The findings of fact that support
16 this recommendation include the following:

17 FINDINGS OF FACT:

18 1. The subject property is located in a Rural
19 Community Plan Area where heavy industrial uses are
appropriate in very-limited locations; and,

20 2. The proposal is a logical expansion of an
21 existing I-2 Heavy industrial zone that occupies the
22 majority of the subject property; and,

23 3. The expansion of the I-2 zone should not
24 overburden roadways and other necessary urban services
25 that are available in the affected area.

1 MR. HOWARD: We would like to enter the Staff
2 Report as Exhibit D.

3 CHAIRMAN: Is there anybody here representing
4 the applicant?

5 APPLICANT REP: Yes.

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

8 (NO RESPONSE)

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

11 DR. BOTHWELL: Motion for approval,
12 Mr. Chairman, based on Staff Recommendations and
13 Findings of Fact 1 through 3.

14 CHAIRMAN: Motion for approval by Dr.
15 Bothwell.

16 MR. HAYDEN: Second.

17 CHAIRMAN: Second by Mr. Hayden. All in favor
18 raise your right hand.

19 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

20 CHAIRMAN: Motion carries unanimously.

21 Next item, please.

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23 MAJOR SUBDIVISIONS

24 ITEM 6

25 The Brooks, Unit 5, Lots 13-20, 41-43, 49-54,
72-77, 5.546 acres

1 Consider approval of major subdivision
final plat.

2 Surety (Certificate of Deposit) posted:
\$19,809

3 Applicant: Owensboro Master Builder, Inc.

4 MR. NOFFSINGER: Mr. Chairman, the Planning
5 Staff has reviewed this application along with the
6 Engineering Staff. It's found to be in order. The
7 use is found to be consistent with the adopted
8 Comprehensive Plan and the plans appear to be
9 consistent with the adopted zoning ordinance and
10 subdivision regulations.

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

13 (NO RESPONSE)

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

16 MR. APPLEBY: Motion for approval.

17 CHAIRMAN: Motion for approval by Mr. Appleby.

18 MR. GILLES: Second.

19 CHAIRMAN: Second by Mr. Gilles. All in favor
20 raise your right hand.

21 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

22 CHAIRMAN: Motion carries.

23 Next item, please.

24 ITEM 7

25 Earl Hayden, 1.826 acres
Consider approval of major subdivision final

1 plat.

2 Surety (Certified Check) posted: \$4,400.00
3 Applicant: Earl Hayden

4 MR. NOFFSINGER: Mr. Chairman, this plat has
5 been reviewed by the Planning Staff and Engineering
6 Staff. It too is found to be in order. It's found to
7 be consistent with the adopted comprehensive plan, the
8 zoning ordinance and subdivision regulations.

9 CHAIRMAN: Is anybody here representing the
10 applicant?

11 (NO RESPONSE)

12 CHAIRMAN: Does anybody have any questions
13 from the audience?

14 (NO RESPONSE)

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

17 MR. HAYDEN: Make a motion for approval.

18 CHAIRMAN: Motion for approval by Mr. Hayden.

19 MR. APPLEBY: Second.

20 CHAIRMAN: Second by Mr. Appleby. All in
21 favor raise your right hand.

22 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

23 CHAIRMAN: Motion carries unanimously.

24 Next item, please.

25 ITEM 8

Harbor Hills, Section 1, Unit 1, Lots 1-9,
20-26, 12.340 acres

1 Consider approval of major subdivision final
2 plat.

3 Surety (Certificate of Deposit) posted:
4 \$289,394.30

5 Applicant: Bob Wimsatt

6 MR. NOFFSINGER: Mr. Chairman, this plat has
7 been reviewed by the Planning Staff and Engineering
8 Staff. It's found to be in order. It's found to be
9 consistent with the adopted comprehensive plan, zoning
10 ordinance and subdivision regulations.

11 CHAIRMAN: Is anybody here representing the
12 applicant?

13 MR. WILSON: Yes.

14 MR. ELLIOTT: State your name, please.

15 MR. WILSON: Bill Wilson.

16 (MR. BILL WILSON SWORN BY ATTORNEY.)

17 MR. WILSON: I'm really not here to give any
18 testimony. Just here to answer any questions anyone
19 might have. I've been told everything is in proper
20 order.

21 CHAIRMAN: Thank you, Mr. Wilson.

22 Any questions from anybody in the audience?

23 (NO RESPONSE)

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

26 MS. DIXON: Move to approve.

27 CHAIRMAN: Motion for approval by Ms. Dixon.

1 MR. CAMBRON: Second.

2 CHAIRMAN: Second by Mr. Cambron. All in
3 favor raise your right hand.

4 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

5 CHAIRMAN: Motion carries unanimously.

6 Next item.

7 ITEM 9

8 Highland Pointe, 82.133 acres
9 Consider approval of major subdivision
preliminary plat.

10 Applicant: High Point Development, LLC, B&K
Development, LLC

11 MR. NOFFSINGER: Mr. Chairman, this plat has
12 been reviewed by the Planning Staff and Engineering
13 Staff. It's found to be in order. Found to be
14 consistent with the adopted comprehensive plan, zoning
15 ordinance and subdivision regulations and it's ready
16 for your consideration.

17 CHAIRMAN: Is anybody here representing the
18 applicant?

19 APPLICANT REP: Yes.

20 CHAIRMAN: Do we have any questions of the
21 applicant?

22 (NO RESPONSE)

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

25 MR. CAMBRON: Motion for approval, Mr.

1 Chairman.

2 CHAIRMAN: Motion for approval by Mr. Cambron.

3 MS. DIXON: Second.

4 CHAIRMAN: Second by Ms. Dixon. All in favor
5 raise your right hand.

6 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

7 CHAIRMAN: Motion carries unanimously.

8 Next item, please.

9 -----

10 MINOR SUBDIVISIONS

11 ITEM 10

12 1948 Browns Valley-Red Hill Road, 2.00 acres
13 Consider approval of minor subdivision plat.

14 Applicant: Michael E. & Rebecca Ebelhar,
Martin G. & Helen Ebelhar

15 MR. NOFFSINGER: Mr. Chairman, this plat comes
16 before you because it creates a two acre tract out of
17 a very large tract in the Browns Valley area. The
18 tract that this property is coming off of only has a
19 limited amount of road frontage. I'm sorry, I can't
20 read the number, but it might be about 50 to 70 feet.

21 We're looking at probably about 40 feet of
22 road frontage is all it has. There is an existing
23 home on this property. The applicant is proposing to
24 put that home on a separate two acre tract. The
25 applicant has indicated on this plat that the

1 remaining acreage will only have one dwelling unit in
2 the future, unless there are other provisions made to
3 gain additional frontage to this tract.

4 You can get a permit to build several dwelling
5 units on the property as it stands. When you go to
6 divide it, the property frontage limits its ability to
7 be divided. However, we are recommending that this
8 two acre division be approved for an existing
9 structure. Then that remaining acreage be limited to
10 no more than one dwelling unit in the future unless
11 provisions are made to where those future divisions
12 meet with the subdivision regulations.

13 CHAIRMAN: With those comments are there any
14 other questions from the audience?

15 (NO RESPONSE)

16 CHAIRMAN: Any questions from the commission?

17 (NO RESPONSE)

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

20 MR. JAGOE: Move for approval.

21 CHAIRMAN: Motion for approval by Mr. Jagoe.

22 MR. MILLER: Second.

23 CHAIRMAN: Second by Mr. Miller. All in favor
24 raise your right hand.

25 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

1 CHAIRMAN: Motion carries unanimously.

2 Next item, please.

3 ITEM 11

4 6914, 6926 KY 144, 5.830 acres
5 Consider approval of minor subdivision plat.
6 Applicant: Rodney W. Turnage

7 MR. NOFFSINGER: Mr. Chairman, Planning Staff
8 has reviewed this application. The application is
9 found to be in order. The application comes to you
10 creating a one acre tract out of an approximately six
11 acre tract. The six acre tract is somewhat unusually
12 shaped in that it has some weird configuration to it
13 on the east boundary of the property. The applicant
14 would like to create this one acre tract out of a
15 tract, out of a six acre tract. However, in doing so,
16 they exceed the depth to width ratio. They have about
17 100 feet of frontage and they go back about 438 feet.

18 The Planning Staff is recommending that this
19 division be approved in that the parent tract does
20 have somewhat of an odd-shape to it. The proposed
21 division is about the best arrangement you could make
22 with the property. They could certainly meet the
23 depth to width ratio on this one acre lot, but then it
24 would leave a portion perhaps to the rear that would
25 be somewhat unusually shaped in itself. I think the
division as we see it here makes sense. I don't think

1 they're trying to maximize or create more lots than
2 perhaps the subdivision regulations would intend. I
3 think they're just trying to make the best division
4 out of a lot that's somewhat unusually shaped as it
5 is.

6 CHAIRMAN: Mr. Appleby is sort of our odd lot
7 specialist.

8 MR. APPLEBY: Motion for approval.

9 CHAIRMAN: Motion for approval by Mr. Appleby.

10 MR. CAMBRON: Second.

11 CHAIRMAN: Second by Mr. Cambron. All in
12 favor raise your right hand.

13 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

14 CHAIRMAN: Motion carries unanimously.

15 Next item.

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17 NEW BUSINESS

18 ITEM 12

19 Consider a lease agreement with Chase Bank for
20 OMPC office space.

21 MR. NOFFSINGER: Mr. Chairman, each of the
22 Planning Commissioners has received a copy of the
23 proposed draft lease with Chase Bank. The OMPC has
24 been asked by the city management to find additional
25 office space or find office space outside of city

1 hall. So this is an unsolicited move by the Owensboro
2 Metropolitan Planning Commission. However, we are
3 looking and have been expected to go into the Center
4 for Commerce that's being created at the Chase Bank
5 facility.

6 We have had our attorneys Mr. Madison Silvert
7 as well as Stewart Elliott review this lease. Dave
8 Appleby has been involved in representing the OMPC in
9 these lease negotiations, as well as I've been
10 involved. The lease has not been approved by Chase
11 Bank. It's still in draft form. However, due to
12 timing restrictions and the meeting dates and trying
13 to have a move date sometime this fiscal year, we feel
14 that it's important that we be allowed to move forward
15 with lease negotiations or final negotiations with the
16 chairman, Mr. Drew Kirkland, the secretary, Mr. Dave
17 Appleby, and myself signing off on the lease once we
18 finalize the negotiations in this lease.

19 So we would hope that the Planning Commission
20 would get the draft, lease its blessings and authorize
21 the three of us to move forward in final negotiations.

22 CHAIRMAN: On behalf of myself and the
23 Planning Commission, I would like to thank Mr. Appleby
24 for all his work representing us and negotiation of
25 the lease and helping the structure of the lease, and

1 Mr. Silvert and Mr. Elliott for their work also.

2 Gary, thanks for your hard work in putting
3 this together.

4 With that I would like to ask: Are there any
5 questions from anybody in the audience?

6 (NO RESPONSE)

7 CHAIRMAN: Any questions from anybody on the
8 commission?

9 (NO RESPONSE)

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

12 MR. CAMBRON: Motion for approval, Mr.
13 Chairman.

14 CHAIRMAN: Motion for approval by Mr. Cambron.

15 MR. GILLES: Second.

16 CHAIRMAN: Second by Mr. Gilles.

17 MR. NOFFSINGER: We need to clarify what that
18 motion for approval is because we're not approving
19 this - -

20 MR. CAMBRON: My motion will be for these
21 three people to enter into a contract once that
22 contract or lease comes back from Chase Bank and move
23 to authorize for signature of that.

24 MR. NOFFSINGER: And to enter into the final
25 negotiations of the lease and represent the OMPC in

1 moving forward with that lease. They would have the
2 authority to sign off on the lease once they feel
3 comfortable.

4 CHAIRMAN: Mr. Elliott, is that correct?

5 MR. ELLIOTT: That is correct.

6 CHAIRMAN: So that meets your criteria. So
7 we'll go back, a restated motion by Mr. Cambron.

8 Mr. Cambron, would you sort of sum that up for
9 us, please.

10 MR. CAMBRON: Yes. Motion is for Gary and
11 David and for the Chairman for negotiations of the
12 lease when it comes back from Chase Bank and to
13 authorize then for signatures on this lease.

14 CHAIRMAN: A restated motion by Mr. Cambron.
15 Do we have a second by Mr. Gilles?

16 MR. GILLES: I second that motion.

17 CHAIRMAN: Second by Mr. Gilles. All in favor
18 raise your right hand.

19 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

20 CHAIRMAN: Motion carries unanimously.

21 Chair is ready for one final motion.

22 DR. BOTHWELL: Motion to adjourn.

23 CHAIRMAN: Motion for adjournment by Dr.
24 Bothwell.

25 MS. DIXON: Second.

1 CHAIRMAN: Second by Ms. Dixon. All in favor
2 raise your right hand.

3 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

4 CHAIRMAN: We are adjourned.

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I, LYNNETTE KOLLER, Notary Public in and for the State of Kentucky at Large, do hereby certify that the foregoing Owensboro Metropolitan Planning & Zoning Commission meeting was held at the time and place as stated in the caption to the foregoing proceedings; that each member of the Commission commenting on issues under discussion were duly sworn before me before testifying; that the Board members of the Commission were as stated in the caption; that said proceedings were taken by me in stenotype and verbatim and were phonetically recorded and was thereafter, by me, personally and correctly transcribed into the foregoing transcript consisting of 30 typewritten pages; and that no signature was required or requested to the foregoing transcript.

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

COMMISSION EXPIRES: DECEMBER 19, 2006

COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY