

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 JULY 13, 2006

3 The Owensboro Metropolitan Planning Commission
4 met in regular session at 5:30 p.m. on Thursday, July
5 13, 2006, at City Hall, Commission Chambers,
6 Owensboro, Kentucky, and the proceedings were as
7 follows:

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

21 CHAIRMAN: I would like to welcome everybody
22 to our July 13th Planning & Zoning Commission meeting.
23 This happens to be Gayle and I thirty-second
24 anniversary.

25 Everyone please stand while Nick Cambron gives
our invocation and pledge of allegiance.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: Our first order of business is to
consider the minutes of the June 8, 2006, meeting.
Are there any additions, corrections?

(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 DR. BOTHWELL: Second.

6 CHAIRMAN: Second by Dr. Bothwell. All in
7 favor raise your right hand.

8 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

9 CHAIRMAN: Motion carries unanimously.

10 Next item.

11 -----

12 PUBLIC HEARING

13 ITEM 2

14 Consider adoption of the updated "Statement of Goals
15 and Objectives" of the Comprehensive Plan.

16 MS. STONE: These revised goals and objectives
17 has been a process of work for several months. We've
18 had several citizens meetings, work sessions with RWRA
19 and legislative bodies. We've had meetings with
20 various community agencies and organizations, as well
21 as sending letters to all adjoining counties, planning
22 commission and to GRADD.

23 We do have a Staff Report for their adoption
24 and Brian Howard will read that into the record.

25 MR. SILVERT: State your name for the record,

1 please.

2 MR. HOWARD: Brian Howard.

3 (MR. BRIAN HOWARD SWORN IN BY ATTORNEY.)

4 STAFF RECOMMENDATION

5 With the adoption of the Goals and
6 Objectives, the remaining elements of the
7 Comprehensive Plan can be completed. The Planning
8 Staff recommends adoption of the proposed Goals and
9 Objectives as attached, based on the following
10 findings.

11 1. Public and official input indicates that
12 the currently adopted Goals and Objectives are still
13 valid and will continue to work well to guide future
14 decision making and should be adopted with changes and
15 revisions that have been included during review.

16 2. Additions of economic objectives to
17 promote regional economic development, to promote
18 access to new technologies and to allow flexibility in
19 placement of school or work training locations will
20 promote enhanced competition in a changing environment
21 of rapid technological changes and out-sourcing of
22 jobs and opportunities.

23 3. Addition of land use goal to reuse
24 existing brownfield will promote the redevelopment of
25 properties where existing infrastructure is in place

1 and assist in the reduction of urban sprawl.

2 4. Additions of objectives to encourage
3 in-fill development, to encourage residential
4 subdivision growth inside the urban service area and
5 to encourage sanitary sewer extension or dry sanitary
6 sewers for new residential subdivisions with new
7 streets will discourage urban sprawl and reduce demand
8 for services provided outside of existing or
9 reasonably extended infrastructure.

10 5. Additions of goals and objectives to allow
11 flexibility in neighborhood development within cities
12 and unincorporated rural communities will promote
13 redevelopment and stability of existing neighborhoods
14 and may result in innovative and sustainable designs
15 for existing neighborhoods.

16 6. Additions of commercial objectives will
17 assist in maintenance and rehabilitation of our
18 commercial areas, encourage downtown redevelopment,
19 help promote the central business district and the
20 riverfront and encourage businesses to locate in
21 downtown areas.

22 7. Addition of objective for public entities
23 to adhere to local ordinances will aid in the
24 perception that adopted regulations are consistent on
25 private or public developments.

1 8. Addition of objectives to preserve
2 existing natural features and to encourage measures to
3 protect natural drainage areas will encourage sound
4 environmental design and best management practices,
5 will assist in maintaining adequate storm water
6 disposal and clean water run-off and will enhance the
7 quality of the appearance of our community,

8 MR. HOWARD: We would like to enter the Staff
9 Report as Exhibit A.

10 CHAIRMAN: Are there any questions or
11 comments?

12 (NO RESPONSE)

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

15 MS. DIXON: Move to approve based upon Staff
16 Recommendations Findings 1 through 8.

17 CHAIRMAN: Motion for approval by Ms. Dixon.

18 MR. CAMBRON: Second.

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

21 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

22 CHAIRMAN: Motion carries unanimously.

23 Next item, please.

24

25

ZONING CHANGE

1 ITEM 3

2 3175 Fairview Drive, 0.610 acres
3 Consider zoning change: From B-4 General Business
4 with conditions to B-4 General Business
5 Applicant: B.C.E. Properties, LLC

6 MS. STONE: This is part of property that was
7 rezoned previously to B-4 with some access conditions.
8 I'd like the attorneys to explain why it's back before
9 you tonight.

10 MR. ELLIOTT: This property was rezoned in
11 1998 to B-4. At the time of the rezoning there was
12 allowed one access point on Fairview Drive. That was
13 enacted by the fiscal court and adopted our
14 recommendation.

15 The applicant came back in 2004 and asked for
16 an amendment to the development plan to allow a second
17 access point on Fairview Drive. This board granted
18 that.

19 A lawsuit was filed in circuit court. The
20 circuit court ruled that we were right in granting the
21 second access point. It went to the court of appeals.
22 The court of appeals held that in order for us to
23 grant the access point it had to go back to fiscal
24 court to have an amendment to the ordinance.

25 The court of appeals has reserved it and sent
26 it back to us for consideration as to whether or not

1 the second access point should be allowed on Fairview
2 Drive. That was in effect it would go back to the
3 legislative bodies for their consideration and to see
4 if they would approve our recommendation.

5 It came an ordinance so it has to go back to
6 legislative bodies to have any change to that
7 ordinance. So that's the reason it's back before us.

8 MS. STONE: We do have a Staff Report prepared
9 for that.

10 PLANNING STAFF RECOMMENDATIONS

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

16 Conditions:

17 1. Maintain the existing driveway on Fairview
18 Drive to the Fuel Center with no additional access to
19 Fairview Drive permitted;

20 2. Provide a public access easement to the
21 south property line; and,

22 3. Submission and approval of a final
23 development plan and final plat for the subject
24 property.

25 Findings of Fact:

1 1. The subject property is located in a
2 Business Plan Area where general business uses are
3 appropriate in limited locations;

4 2. The existing zoning for the subject
5 property is B-4 General Business with conditions; and,

6 3. After weighing testimony at the February
7 12, 2004, OMPC meeting, with the minutes attached
8 hereto as part of this staff report, the Planning
9 Commission unanimously voted to approve the access
10 point for the subject property as part of a
11 development plan based on the potentially unsafe and
12 inefficient flow of traffic on the site, the
13 willingness of the applicant to provide an access
14 easement to the property to the south for future
15 interconnection and the commitment to extend the
16 pedestrian sidewalk, curb and gutter as part of the
17 new access point.

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

20 CHAIRMAN: Are there any questions or
21 comments?

22 MR. KUEGEL: Yes.

23 MR. ELLIOTT: State your name, please.

24 MR. KUEGEL: Bruce Kuegel.

25 (MR. BRUCE KUEGEL SWORN BY ATTORNEY.)

1 MR. KUEGEL: Mr. Kirkland and Members of the
2 Board, I'm before you tonight on behalf of the Clarks.
3 They're adjacent landowners. We just want to express
4 that we're in opposition to this action taking place
5 until the nonconforming use has been abandoned and
6 sealed off. It's my understanding that as of
7 yesterday or the first part of the week there was some
8 yellow tape possibly stretched across that. I don't
9 think that would suffice as a closing of nonconforming
10 use. Just for the record I would just voice that on
11 behalf of my clients. Thank you.

12 CHAIRMAN: Thank you.

13 MS. STONE: There was a letter sent by our
14 department to close that access after the court action
15 occurred.

16 CHAIRMAN: Do we have somebody representing
17 the applicant?

18 MR. WILSON: Yes.

19 MR. ELLIOTT: State your name, please.

20 MR. WILSON: Bill Wilson, Jr.

21 (MR. BILL WILSON SWORN BY ATTORNEY.)

22 MR. WILSON: Mr. Chairman, Members of the
23 Commission, I was in this room back on the evening of
24 February 12, 2004, when we discussed this matter in
25 great detail that evening. I don't think any of us in

1 this room that evening thought we would be back with
2 the situation that Stewart Elliot just described to
3 you.

4 On that occasion we were up on an application
5 for an amendment to the final development plan. My
6 clients thought that's what it was. I think the Staff
7 thought that's what it was. I know this commission
8 thought that's what it was. The Daviess Circuit Court
9 ultimately thought that's what it was.

10 Well, the court of appeals told us two months
11 ago right now that we were all wrong. That it was the
12 amendment of an ordinance and it took the approval of
13 a legislative body.

14 So that's what we're back here tonight, to get
15 that role and to get that done so we can re-open the
16 access point.

17 We have the benefit now of something we didn't
18 have back at that time. We've got two and a half
19 years of history and use of that access point. I'm
20 not aware of a single accident that it has caused. I
21 think it has helped in distribution of traffic out of
22 a very busy area. I think it's been a benefit to the
23 traveling public as well as to the owners and the
24 other people that use that shopping center.

25 We're here tonight to ask you to, again, vote

1 in the same manner as before and it will now go before
2 the legislative body and there will be a formal
3 amendment and not merely the amendment of a final
4 development plan. You're going to be submitted with
5 some drawings later this evening that do that.

6 CHAIRMAN: Mr. Wilson, I think the question
7 was, has the access point been closed?

8 MR. WILSON: It is closed now, yes. It was
9 closed over the weekend. I think on the flooding two
10 days ago the barrels were placed up with tape were
11 washed away. I went out there this afternoon and
12 they're very secure. There are six of them across
13 there. It's closed off with a sign there that I told
14 them to put temporarily closed. We hope it's
15 temporary. That the fuel station is still open.
16 You've just got to go around the long way.

17 I've read in the transcript of that February
18 12, '04, hearing that was attached to the Staff Report
19 tonight, the transcript where we talk about that. You
20 know, there's more traffic now, of course, than there
21 was two and a half years ago. There was a vacant lot
22 left, six-tenths of an acre, that we didn't know what
23 was going to happen there. There are five individual
24 businesses in that one lot right now that just further
25 hit that Villa Point drive access.

1 At this point it's not harmed anyone. It's
2 helped everyone in the area, I think. The court of
3 appeals just didn't agree with the way all of us
4 proceeded back two and a half years ago. The Daviess
5 Circuit Judge thought we proceeded properly. So we're
6 here to rectify that wrong and get it right.

7 I have a couple of the owners here tonight.
8 The Belchers are here, David Conkright, a couple from
9 Bryant Engineering. David and Jason are both here to
10 address about any questions of that nature, but I
11 believe those were probably addressed two and a half
12 years ago and it's worked really well.

13 We would ask this commission to approve it so
14 we can get rectify it.

15 CHAIRMAN: Mr. Wilson, the entrance has been
16 closed?

17 MR. WILSON: Yes, sir.

18 CHAIRMAN: Thank you.

19 Does anybody have any other questions?

20 MR. WILSON: Mr. Chairman, I don't want to
21 mislead you. There hasn't been a permanent structure
22 placed there. Six 55-gallon drums. It's closed
23 enough, yes, sir, until we find out we have the right
24 to reopen.

25 CHAIRMAN: Thank you.

1 Yes, ma'am.

2 MR. ELLIOTT: State your name, please.

3 MS. HOWARD: Sandra Howard.

4 (MS. SANDRA HOWARD SWORN BY ATTORNEY.)

5 MS. HOWARD: It just seems that if you allow
6 this entrance which doesn't meet, or it didn't in '99,
7 '98, '99, whenever, it didn't meet the standard or the
8 entrances, along other entrances. If you allow this,
9 what's to say the other businesses couldn't or
10 shouldn't come back and say, well, we want an entrance
11 on this and, no, it doesn't meet the standards. It
12 was B-4 general business with restrictions, but maybe
13 we can get it rezoned to where there's no
14 restrictions. What's to stop other businesses from
15 doing this? Then you're going to have just blockages.

16 CHAIRMAN: Any business that wants to can come
17 back and apply for a rezoning any time.

18 MS. HOWARD: Yes, but if the driveways and
19 entrances are suppose to meet standards, why do you
20 even have the standards if you're not going to go by
21 them?

22 CHAIRMAN: The standards are set, but your
23 question was what would restrict a business from
24 coming back? Any business at any time can come back
25 and ask for a rezoning. They can come back at any

1 time and ask for a rezoning.

2 MS. STONE: The Planning Commission would look
3 at all of those individual cases on an individual
4 basis. From the information and the testimony, they
5 would make a decision on each.

6 MS. HOWARD: So the footages from driveway to
7 driveway or entrance to entrance really has no bearing
8 on anything?

9 MR. CAMBRON: It has a bearing on everything,
10 but every situation is different. We just take each
11 one as the case comes, but we do have standards we try
12 to adhere to.

13 MS. STONE: If someone wants to vary from that
14 standard, they would have to come before this board
15 and make their case for why that should be allowed.

16 MS. HOWARD: Thank you.

17 CHAIRMAN: Are there any other questions or
18 comments?

19 (NO RESPONSE)

20 MR. CAMBRON: Is chair ready for a motion?

21 CHAIRMAN: Chair is ready for a motion, Mr.
22 Cambron.

23 MR. CAMBRON: Motion for approval, Mr.
24 Chairman, based on Conditions 1 through 3 and Findings
25 of Fact 1 through 3.

1 CHAIRMAN: We have a motion or approval by Mr.
2 Cambron.

3 MR. APPLEBY: Second.

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

6 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

7 CHAIRMAN: Motion carries unanimously.

8 Next item, please.

9 Related Items:

10 ITEM 3A

11 3175 Fairview Drive, 0.610 acres
12 Consider approval of amended final development plan
13 Applicant: B.C.E. Properties, LLC

14 MS. STONE: This item is in order and ready
15 ready for your consideration with the exception of it
16 does have an access point shown on the final
17 development plan and until the ordinance is completed
18 on the first item it should be postponed according to
19 the advice of our attorneys.

20 CHAIRMAN: Mr. Wilson, do you understand?

21 MR. WILSON: I do.

22 CHAIRMAN: Does anybody else have any
23 questions regarding this matter?

24 (NO RESPONSE)

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

1 MR. APPLEBY: Move to postpone Item 3A until
2 final action has been taken by fiscal court.

3 CHAIRMAN: Motion for postponement by
4 Mr. Appleby.

5 MS. DIXON: Second.

6 CHAIRMAN: Second by Mr. Dixon.

7 MR. MILLER: Just a comment. They're going to
8 say, I think this property has been annexed by the
9 city since the time this initial action was taken. So
10 this may go back to the Owensboro City Commission and
11 not Daviess County Fiscal Court.

12 MS. STONE: Final action by the legislative
13 body.

14 MR. APPLEBY: Move to postpone until final
15 action by the appropriate legislative body has been
16 taken.

17 CHAIRMAN: Clarification on Mr. Appleby's
18 motion.

19 MS. DIXON: Second.

20 CHAIRMAN: Second by Ms. Dixon. All in favor
21 raise your right hand.

22 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

23 CHAIRMAN: Motion carries unanimously.

24 Next item, please.

25

1 ITEM 3B

2 3175 Fairview Drive, 0.610 acres
3 Consider approval of major subdivision final plat.
4 Surety previously posted
5 Applicant: B.C.E. Properties, LLC

6 MS. STONE: We have the same situation on this
7 final plat. The access point is shown on the plat and
8 would also need to postponed until final action by the
9 appropriate legislative body.

10 MR. APPLEBY: So moved.

11 MR. CAMBRON: Second.

12 CHAIRMAN: A motion by Mr. Appleby. A second
13 by Mr. Cambron. All in favor raise your right hand.

14 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

15 CHAIRMAN: Motion carries unanimously.

16 Next item, please.

17 ITEM 4

18 5150 Todd Bridge Road, 114.70 +/- acres
19 Consider zoning change: From A-R Rural Agriculture to
20 R-1C Single-Family Residential
21 Applicant: Thompson Homes, Inc.

22 MS. STONE: We do have a letter from the
23 applicant's engineer asking that this item be
24 postponed. There are some drainage issues that have
25 not been worked out.

26 CHAIRMAN: Chair is ready for a motion.

27 MR. CAMBRON: Motion for postponement, Mr.

1 Chairman.

2 CHAIRMAN: Motion for postponement by Mr.

3 Cambron.

4 MR. MILLER: Second.

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

7 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

8 CHAIRMAN: Motion carries unanimously.

9 Next item, please.

10 Related Item

11 ITEM 4A

12 Keeneland Trace, 114.70 +/- acres
13 Consider approval of major subdivision preliminary
14 plat/final development plan.
Applicant: Thompson Homes, Inc.

15 MS. STONE: We also have a letter from the
16 applicant's engineer on this item requesting
17 postponement.

18 CHAIRMAN: Chair is ready for a motion.

19 MS. DIXON: Move to postpone.

20 CHAIRMAN: Motion for postponement by Ms.
21 Dixon.

22 MR. GILLES: Second.

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

25 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

1 CHAIRMAN: Motion carries unanimously.

2 Next item, please.

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4 MAJOR SUBDIVISIONS

5 ITEM 5

6 Brownwood Oaks, 13.154 acres
7 Consider approval of major subdivision preliminary
8 plat.
9 Applicant: Wells and Wells Builders

10 MS. STONE: This application is in order.

11 It's been reviewed by the Planning Staff and its ready
12 for your consideration.

13 CHAIRMAN: Chair is ready for a motion.

14 MR. ROGERS: Motion for approval.

15 CHAIRMAN: Motion for approval by Mr. Rogers.

16 MR. APPLEBY: Second.

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

19 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

20 CHAIRMAN: Motion carries unanimously.

21 Next item.

22 ITEM 6

23 Lake Forest, Unit 24, Lots 245-246A, 252, 253, 1.55
24 acres
25 Consider approval of major subdivision final plat.
26 Surety (Certificate of Deposit) posted: \$35,041.05
27 Applicant: Lake Forest Community, LLC

28 MS. STONE: The plat is in order and ready for

1 your consideration.

2 CHAIRMAN: Questions.

3 (NO RESPONSE)

4 CHAIRMAN: Chair is ready for a motion.

5 MR. CAMBRON: Motion for approval,

6 Mr. Chairman.

7 CHAIRMAN: Motion for approval by Mr. Cambron.

8 DR. BOTHWELL: Second.

9 CHAIRMAN: Second by Dr. Bothwell. All in
10 favor raise your right hand.

11 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

12 CHAIRMAN: Motion carries unanimously.

13 Next item.

14 ITEM 7

15 Lake Forest, Unit 25, Lots 270-274, 278, 299, 2.14
16 acres

17 Consider approval of major subdivision final plat.
18 Surety (Certificate of Deposit, Certified Check)
19 posted: \$18,265.90

20 Applicant: Lake Forest Community, LLC

21 MS. STONE: This application is in order.

22 It's been reviewed by the Planning Staff and ready for
23 your consideration.

24 CHAIRMAN: Any questions?

25 (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 DR. BOTHWELL: Second.

4 CHAIRMAN: Se coned by Dr. Bothwell. All in
5 favor raise your right hand.

6 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

7 CHAIRMAN: Motion carries unanimously.

8 Next item, please.

9 ITEM 8

10 Village Run, 31.234 acres
11 Consider approval of major subdivision final plat.
12 For development transfer only, no surety required
13 Applicant: National City Bank, Kentucky, Jagoe
14 Development, LLC

15 MS. STONE: The plat has been reviewed by the
16 Planning Staff. It's ready for your consideration and
17 it is in order.

18 MR. JAGOE: Mr. Chairman, I need to disqualify
19 myself.

20 CHAIRMAN: Let the record show that Mr. Jagoe
21 has disqualified himself.

22 MR. CAMBRON: Motion for approval.

23 CHAIRMAN: Motion for approval by Mr. Cambron.

24 MS. DIXON: Second.

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

(ALL BOARD MEMBERS PRESENT - WITH THE

1 DISQUALIFICATION OF SCOTT JAGOE - RESPONDED AYE.)

2 CHAIRMAN: Motion carries unanimously.

3 Next item.

4 ITEM 9

5 3001-3101 Blocks Settles Road, 37.350 acres
6 Consider approval of major subdivision final plat.
7 For development transfer only, no surety required
8 Applicant: JMP Lake Forest, Inc.; Lake Forest
9 Community, LLC

10 MS. STONE: The plat has been reviewed by the
11 staff. It is in order and it's ready for your
12 consideration.

13 CHAIRMAN: Any questions?

14 (NO RESPONSE)

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

17 MR. GILLES: Motion to approve.

18 CHAIRMAN: Motion for approval by Mr. Gilles.

19 DR. BOTHWELL: Second.

20 CHAIRMAN: Second by Dr. Bothwell. All in
21 favor raise your right hand.

22 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

23 CHAIRMAN: Motion carries unanimously.

24 Next item, please.

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NEW BUSINESS

ITEM 10

1 Consider retirement of Bob Childers, OMPC Plan
2 Reviewer, Electrical/Building Inspector, effective
3 August 1, 2006

3 MS. STONE: We have a letter of retirement
4 from Bob and I'll read that into the record. It's
5 addressed to Gary Noffsinger, Director.

6 "Dear Gary, This is to formally notify you
7 that I am retiring from the Owensboro Metropolitan
8 Planning Commission as Plan Reviewer,
9 Electrical/Building Inspector.

10 "July 31, 2006 will be my last day of
11 employment, or termination date. August 1, 2006 will
12 be my retirement date under the County Employee
13 Retirement System.

14 "I have enjoyed my 22 years career with the
15 OMPC, working with the great folks who have built this
16 outstanding public agency. I feel confident that
17 under your continued leadership, the OMPC will go on
18 to make great strides in planning for the citizens of
19 Owensboro, Whitesville and Daviess County, Kentucky.

20 "Sincerely, Bob Childers, Plan
21 Reviewer/Inspector."

22 We need to take action on accepting his letter
23 of retirement.

24 CHAIRMAN: Bob has done an outstanding job in
25 all areas working for the Owensboro Metropolitan

1 Planning Commission. He will be greatly missed. We
2 wish him the best of luck and a great retirement.

3 MS. CAMBRON: I would make a motion to accept
4 it.

5 CHAIRMAN: Mr. Cambron makes a motion to
6 accept Mr. Childers' retirement.

7 MR. MILLER: Second.

8 CHAIRMAN: Second by Mr. Miller. All in favor
9 raise your right hand.

10 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

11 CHAIRMAN: Motion carries unanimously.

12 The chair is ready for one final motion.

13 DR. BOTHWELL: Mr. Chairman, make a motion to
14 adjourn.

15 MR. APPLEBY: Second.

16 CHAIRMAN: We have a motion for adjournment by
17 Dr. Bothwell. We have a second by Mr. Appleby. All
18 in favor raise your right hand.

19 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

20 CHAIRMAN: We are adjourned.

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

3 I, LYNNETTE KOLLER, Notary Public in and for
4 the State of Kentucky at Large, do hereby certify that
5 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 24 typewritten pages; and that no signature
15 was requested to the foregoing transcript.

16 WITNESS my hand and notary seal on this the
17 1st day of August, 2006.

18

19

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

22

COMMISSION EXPIRES: DECEMBER 19, 2006

23

COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY

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25