

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 MARCH 8, 2007

3 The Owensboro Metropolitan Planning Commission
4 met in regular session at 5:30 p.m. on Thursday, March
5 8, 2007, at City Hall, Commission Chambers, Owensboro,
6 Kentucky, and the proceedings were as follows:

7 MEMBERS PRESENT: Drew Kirkland, Chairman
8 Gary Noffsinger
9 Judy Dixon
10 Dave Appleby
11 Tim Miller
12 Irvin Rogers
13 Wally Taylor
14 Martin Hayden
15 Madison Silvert, Attorney

16 * * * * *

17 CHAIRMAN: I would like to welcome everyone to
18 the March 8th meeting.

19 Would you please rise for our invocation is
20 given by Mr. Irvin Rogers.

21 (INVOCATION AND PLEDGE OF ALLEGIANCE.)

22 CHAIRMAN: First order of business I would
23 like to turn the gavel over to Mr. Madison Silvert to
24 swear in our new member.

25 (SWEARING IN OF MR. WALLY TAYLOR)

26 CHAIRMAN: Mr. Taylor, we would like to
27 welcome you to the commission. Appreciate you
28 agreeing to serve on the board. Thank you very much.

29 MR. TAYLOR: Thank you.

1 CHAIRMAN: At this time we'd like to recognize
2 a former commissioner Mr. Nick Cambron.

3 Mr. Cambron, will you step forward, lease.

4 (PRESENTATION TO MR. NICK CAMBRON.)

5 CHAIRMAN: At this time I would like to
6 personally thank Ms. Judy Dixon in serving as chairman
7 while I was out of town last month. Judy did an
8 excellent job. I really appreciate what you did.
9 Thanks for taking over the commission. You did a
10 great job. Thank you.

11 At this time I'd like to recognize a friend of
12 mine, a friend of the city's and a great friend of the
13 Commission. Mr. Cap Gardner has recently passed away.
14 Cap I've known all my life and spent the last 35 years
15 eating lunch with him in Rotary. Many times after
16 Rotary, Cap would come up and shake my hand and grin
17 and tell me we were doing a great job on the Planning
18 Commission and then laugh and said, you know, I
19 thought it was tough when I was mayor, but it could
20 have been worse. I could have been on the Planning
21 Commission. Cap always was a very supportive person
22 to the Planning Commission and was a good friend of
23 mine. I feel like the passing of Cap the City of
24 Owensboro loses a smile off their face. I just wanted
25 to publically recognize Cap and what he had done for

1 the city and being my friend and being a supporter of
2 the Planning Commission.

3 Our next item of business is we're going to
4 consider the minutes of the February 8, 2007 meeting.
5 Are there any comments, additions, corrections?

6 MR. NOFFSINGER: No, sir.

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

9 MS. DIXON: Move to approve.

10 CHAIRMAN: Motion for approval by Ms. Dixon.

11 MR. APPLEBY: Second.

12 CHAIRMAN: Second by Mr. Appleby. All in
13 favor raise your right hand.

14 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

15 CHAIRMAN: Motion passes unanimously.

16 Mr. Noffsinger, did you have a comment that
17 you would like to make?

18 MR. NOFFSINGER: Yes, sir. I would like to
19 let our audience know that you can view our meetings
20 live on the internet from anywhere in the country,
21 nation for that matter. You can go to the City of
22 Owensboro's website at www.owensboro.org and click on
23 Channel 44 Streaming Line and you can watch our
24 meetings from anywhere live. You can also, if you
25 know the tape schedule, you can watch the taped

1 delays. That is a product that's been given to us by
2 the City of Owensboro. We thank them for working with
3 us, allowing those meetings to be televised via the
4 internet.

5 CHAIRMAN: Mr. Noffsinger, would that possibly
6 be anywhere in the world or just in the country?

7 MR. NOFFSINGER: I'd say anywhere in the
8 world. The internet is out there for anyone's
9 offering that has access to the internet. If you can
10 find the City of Owensboro's website, you can get it.

11 CHAIRMAN: I think the office would be very
12 interested in the furtherest away that somebody would
13 pick us up.

14 Next item, Mr. Noffsinger.

15 ITEM 2

16 Consider text amendments to Article 6, Section 6.5 and
17 6.6 of the Owensboro Metropolitan Zoning Ordinance to
18 allow language that will provide for the alternate
19 regulation for zoning map amendments as described in
20 KRS 100.2111.

21 MR. NOFFSINGER: Becky Stone, Associate
22 Director for Planning is here tonight to describe this
23 exciting process.

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

MS. STONE: Becky Stone.

The Text Amendments that are proposed in

1 Article 6 would amend the Zoning Ordinance to allow
2 for an alternate regulation for Zoning Map Amendments.

3 This would reduce the amount of time that
4 zoning changes -- this would reduce the amount of time
5 to 21 days that could allow a zoning change to take
6 place.

7 Currently the Planning Commission
8 recommendation goes to the legislative body and then
9 it's scheduled on their agenda for two readings of an
10 ordinance. This regulation allows the Planning
11 Commission recommendation to become final 21 days
12 after that recommendation is made, unless the
13 legislative body chooses to hear the zoning
14 application.

15 If the legislative body chooses to hear the
16 zoning application, then it would go forward for two
17 readings just as it does currently.

18 The up side to this change is a reduction in
19 the amount of time that someone would have to wait to
20 get the property zoned. If development is occurring,
21 this could reduce their amount of time for a zoning
22 change.

23 In addition to the legislative body being able
24 to request to hear the application, any agreed person
25 could also request that the legislative body hear the

1 application and then it would automatically go to
2 fiscal court, the City of Owensboro and the City of
3 Whitesville for that hearing.

4 So you do have a Staff Report that explains
5 the background of this change. The Staff would
6 recommend approval of this revision for the
7 alternative regulation for Zoning Map Amendment as
8 allowed by KRS 100.2111 with the following Findings of
9 Fact:

10 1. Concerns have been raised regarding the
11 amount of time that is required for a zoning change to
12 become effective;

13 2. KRS 100.2111 allows an alternative method
14 for Zoning Map Amendment that can reduce the amount of
15 time for a zoning change to occur to 21 days following
16 the OMPC recommendation;

17 3. The legislative bodies retain the
18 authority to decide zoning map amendments and may do
19 so by filing to decide the application within 21 days
20 of the OMPC recommendation; and,

21 4. An aggrieved person retains the right to
22 have the legislative body decide the zoning request by
23 requesting in writing that the legislative body hears
24 the application within 21 days to the OMPC
25 recommendation.

1 We would like to enter the Staff Report as
2 Exhibit A. If you have any questions, I would be glad
3 to answer them.

4 CHAIRMAN: Are there any questions from
5 anybody on the commission?

6 (NO RESPONSE)

7 CHAIRMAN: Any questions from anybody in the
8 audience?

9 (NO RESPONSE)

10 CHAIRMAN: If there are none, the chair is
11 ready for a motion.

12 MR. APPLEBY: Mr. Chairman, I'd move to
13 approve the amendment based on the Staff
14 Recommendations and Findings 1, 2, 3 and 4.

15 CHAIRMAN: We've got a motion for approval by
16 Mr. Appleby.

17 MR. MILLER: Second.

18 CHAIRMAN: Second by Mr. Miller. All in favor
19 raise your right hand.

20 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

21 CHAIRMAN: Motion carries unanimously.

22 Next item, please.

23 ITEM 3

24 Consider text amendment to Article 8 of the Owensboro
25 Metropolitan Zoning Ordinance to amend the Schedule of
Zones and Uses to conditionally permit landscaping
services in the B-3 Highway Business and B-4 General

1 Business zones.

2 MS. STONE: This Text Amendment proposes to
3 conditionally permit landscaping services in B-3 and
4 B-4 general business zones. Currently they're
5 permitted in this zone only as accessory uses to a
6 retail shop that would sell plant or nursery items.

7 We've been asked to look at this particular
8 type of use. You do have background in your Staff
9 Report. We would propose that the landscaping
10 services be permitted as a conditional use permit in
11 the B-3 and B-4 zoning which would require the
12 Owensboro Board of Adjustment to review those
13 locations.

14 The Staff would recommend approval of this
15 Text Amendment with the following Findings of Fact:

- 16 1. Landscaping services are currently
17 permitted as accessory uses in the B-3 Highway
18 Business and the B-4 General Business zone without
19 review of the OMBA;
- 20 2. Landscaping services provide a commercial
21 service that could be compatible in Highway Business
22 and General Business zones if properly integrated into
23 the district; and,
- 24 3. Conditionally permitting landscaping
25 services in the B-3 and B-4 zones would require review

1 by the OMBA to assure property integration into the
2 commercial area; and,

3 4. The conditional use permit process ensures
4 that adjoining property owners are notified and have
5 the opportunity to address the location of the
6 landscaping service in the area.

7 We would like to enter the Staff Report as
8 Exhibit B.

9 Again, if you have questions I'd be happy to
10 answer them.

11 CHAIRMAN: Any questions from the commission?

12 (NO RESPONSE)

13 CHAIRMAN: Any questions from the audience?

14 (NO RESPONSE)

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

17 MR. MILLER: Mr. Chairman, motion to approve
18 based on Staff Recommendations and Findings of Fact 1,
19 2, 3, and 4.

20 CHAIRMAN: We've got a motion for approval by
21 Mr. Miller.

22 MS. DIXON: Second.

23 CHAIRMAN: Second by Ms. Dixon. 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

4

ZONING CHANGES

5

ITEM 4

6

2500 Barron Drive, 7.515 +/- acres

7

Consider zoning change: From A-U Urban Agriculture to

8

B-4 General Business

9

Applicant: WWW Properties, LLC; J.C. Ellis Estate

10

Trust

11

MR. SILVERT: State your name for the record,

12

please.

13

MR. HOWARD: Brian Howard.

14

(MR. BRIAN HOWARD SWORN BY ATTORNEY.)

15

PLANNING STAFF RECOMMENDATIONS

16

Staff recommends approval because the proposal

17

is in compliance with the community's adopted

18

Comprehensive Plan. The conditions and findings of

19

fact that support this recommendation include the

20

following:

21

CONDITIONS:

22

1. No access shall be permitted to Carter

23

Road or the Wendell Ford Expressway;

24

2. Access shall be limited to Barron Drive

25

only and shall be limited to a total of three access

26

points; and,

27

3. Future development on the 7.515 acre tract

1 will require an amended development plan to address
2 all site and development requirements, including
3 potential roadway improvements.

4 FINDINGS OF FACT:

5 1. The subject property is located in a
6 Business Plan Area, where general business uses are
7 appropriate in limited locations;

8 2. A formal development plan has been
9 submitted as a part of the rezoning request;

10 3. The subject property is over five acres in
11 size; and,

12 4. With frontage on Carter Road, Barron Drive
13 and the Wendell Ford Expressway, the site is major
14 street oriented.

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

17 CHAIRMAN: Do we have any questions or
18 comments from the commission?

19 (NO RESPONSE)

20 CHAIRMAN: Any questions or comments from the
21 audience?

22 (NO RESPONSE)

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

25 MR. HAYDEN: I make a motion for approval on

1 Staff Recommendations and Conditions 1, 2 and 3 and
2 Findings of Fact 1 through 4.

3 CHAIRMAN: We have a motion for approval by
4 Mr. Hayden.

5 MS. DIXON: Second.

6 CHAIRMAN: Second by Ms. Dixon. 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 4A

13 2500 Barron Drive, 7.515 +/- acres
14 Consider approval of final development plan.
15 Applicant: WWW Properties, LLC, J.C. Ellis Estate
16 Trust

17 MR. NOFFSINGER: Mr. Chairman, this
18 application has been reviewed by the Planning Staff
19 and Engineering Staff. It's found to be in order.
20 It's found to be consistent with the adopt
21 Comprehensive Plan and is recommended by the previous
22 rezoning. It's also been reviewed for compliance with
23 the zoning ordinance and subdivision regulation and
24 found to be consistent with the requirements therein.

25 CHAIRMAN: Is there any questions or comments
from the audience?

1 (NO RESPONSE)

2 CHAIRMAN: Does anybody on the commission have
3 any questions?

4 (NO RESPONSE)

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

7 MR. ROGERS: Motion for approval,
8 Mr. Chairman.

9 CHAIRMAN: Motion for approval by Mr. Rogers.

10 MR. HAYDEN: Second.

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

13 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

14 CHAIRMAN: Motion carries unanimously.

15 Next item, please.

16 ITEM 5

17 585 Fulton Drive, 3.079 acres
18 Consider zoning change: From B-4 General Business to
19 B-5 Business/Industrial
Applicant: Penn Properties, LLC

20 PLANNING STAFF RECOMMENDATIONS

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

25 FINDINGS OF FACT:

1 1. The subject property is located in a
2 Business/Industrial Plan Area, where
3 business/industrial uses are appropriate in general
4 locations;

5 2. The subject property lies within an
6 existing area of mixed commercial and industrial uses;

7 3. The Comprehensive Plan provides for the
8 continuance of mixed use area; and,

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

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

15 CHAIRMAN: Does anybody have any questions
16 from the audience?

17 (NO RESPONSE)

18 CHAIRMAN: Does anybody on the commission have
19 any questions?

20 (NO RESPONSE)

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

23 MR. ROGERS: Motion for approval based on
24 Planning Staff Recommendation with Findings of Fact 1,
25 2, 3 and 4.

1 CHAIRMAN: We have a motion for approval by
2 Mr. Rogers.

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 ITEM 6

10 3701 Kipling Drive, 4.03 +/- acres (Postponed at
11 February 8, 2007 meeting)
12 Consider zoning change: From R-1B Single-Family
13 Residential to R-1C Single-Family Residential
14 Applicant: J.E.D. Rentals Family Partnership, LTD

15 PLANNING STAFF RECOMMENDATIONS

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

21 CONDITION:

22 Access to J.R. Miller Boulevard shall be
23 limited to the proposed new street intersection only.
24 No individual drive access will be permitted.

25 FINDINGS OF FACT:

26 1. The subject property is located in an
27 Urban Residential Plan Area, where urban low-density

1 residential uses are appropriate in limited locations;

2 2. Sanitary sewer service is available to the
3 subject property;

4 3. The proposal meets a goal of the
5 Comprehensive Plan to establish a variety of housing
6 types for a variety of people within a neighborhood;
7 and,

8 4. The proposal supports the Comprehensive
9 Plan's goals by encouraging the concentration of urban
10 development within the Urban Service Area to limited
11 urban sprawl.

12 MR. HOWARD: We would like to enter the Staff
13 Report as Exhibit E.

14 CHAIRMAN: Does anybody from the audience have
15 a question?

16 (NO RESPONSE)

17 CHAIRMAN: Does anybody on the commission?

18 (NO RESPONSE)

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

21 MS. DIXON: Move to approve based upon
22 Planning Staff Recommendation subject to the Condition
23 and based upon Findings of Fact 1, 2, 3, and 4.

24 CHAIRMAN: Motion for approval by Ms. Dixon.

25 MR. HAYDEN: Second.

1 CHAIRMAN: Second by Mr. Hayden. All in favor
2 raise your right hand.

3 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

4 CHAIRMAN: Motion carries unanimously.

5 Next item, please.

6 Related Item:

7 ITEM 6A

8 Mallard Creek, 4.03 +/- acres (Postponed at February
9 8, 2007 meeting)

9 Consider approval of major subdivision preliminary
10 plat/final development plan.

10 Applicant: J.E.D. Rentals Family Partnership, LTD

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

13 (NO RESPONSE)

14 CHAIRMAN: Does anybody on the commission have
15 any questions?

16 (NO RESPONSE)

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

19 MS. DIXON: Move to approve.

20 CHAIRMAN: Motion for approval by Ms. Dixon.

21 MR. HAYDEN: Second.

22 CHAIRMAN: Second by Mr. Hayden. All in favor
23 raise your right hand.

24 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

25 CHAIRMAN: Motion carries unanimously.

1 Next item, please.

2 ITEM 7

3 1907 West Parrish Avenue, 0.208 acres
4 Consider zoning change: From R-4DT Inner-City
5 Residential to B-4 General Business
6 Applicant: Mike Martin, Thomas M. Shively

7 PLANNING STAFF RECOMMENDATIONS

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

13 CONDITIONS:

- 14 1. Approval of a final development plan by
15 the OMPC;
- 16 2. Approval of a consolidation plat to
17 consolidate 1907, 1911, 1915 West Parrish Avenue and
18 1912, 1916 James David Court into a single parcel;
- 19 3. Access for the consolidated lots to West
20 Parrish Avenue shall be limited to a single access
21 point as far east along the property frontage as
22 possible;
- 23 4. An access easement shall be provided to
24 the adjoining property to the east, located at 1903
25 West Parrish Avenue; and,
5. Install a ten foot landscape easement with

1 a six foot high element and one tree every 40 linear
2 feet along the east property line where the subject
3 property abuts residential zoning;

4 FINDINGS OF FACT:

5 1. The subject property is located in a
6 Central Residential Plan Area, where general business
7 uses are appropriate in limited locations;

8 2. Property to the immediate west of the
9 subject property is zoned B-4 General Business; and,

10 3. The applicant's proposal is a logical
11 expansion of the B-4 General Business zoning to the
12 west, and it will not significantly increase the
13 extent of general business uses that are located in
14 the vicinity or overburden the capacity of the
15 roadways or other necessary urban services in the
16 affected area.

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

19 CHAIRMAN: Any questions from anybody in the
20 audience?

21 (NO RESPONSE)

22 CHAIRMAN: From the commission?

23 (NO RESPONSE)

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

1 MR. HAYDEN: Make a motion for approval based
2 on Staff Recommendations and Conditions 1 through 5
3 and Findings of Fact 1 through 3.

4 CHAIRMAN: We have a motion for approval by
5 Mr. Hayden.

6 MS. DIXON: Second.

7 CHAIRMAN: Second by Ms. Dixon. 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 -----

13 DEVELOPMENT PLANS

14 ITEM 8

15 3611 Ralph Avenue, 0.847 acres
16 Consider approval of amended final development plan.
17 Applicant: Sonny's Enterprises, Inc., MPG Commercial
18 Properties, LLC

18 CHAIRMAN: Does anybody have any questions
19 from the commission or from the audience?

20 (NO RESPONSE)

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

23 MR. APPLEBY: Motion for approval.

24 CHAIRMAN: Motion for approval by Mr. Appleby.

25 MR. MILLER: Second.

1 CHAIRMAN: Second by Mr. Miller. All in favor
2 raise your right hand.

3 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

4 CHAIRMAN: Motion carries unanimously.

5 Next item, please.

6 -----

7 MAJOR SUBDIVISIONS

8 ITEM 9

9 Lake Forest, Phase 4, Lots 279-298, 300-356, 360-369,
10 40.243 acres
11 Consider approval of amended major subdivision
12 preliminary plat.
13 Applicant: Lake Forest Community, LLC

14 CHAIRMAN: Do we have any questions from the
15 audience or the commission?

16 (NO RESPONSE)

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

19 MR. HAYDEN: Move to approve.

20 CHAIRMAN: We've got a motion for approval by
21 Mr. Hayden.

22 MS. DIXON: Second.

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

25 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

1 ITEM 10

2 The Trails of Heartland, Phase 1, Lots 639-675, 12.112
3 acres

4 Consider approval of major subdivision final plat
5 Surety (Certificate of Deposit) posted: \$58,304.60
6 Applicant: Jagoe Development, LLC

7 CHAIRMAN: Do we have any questions from the
8 audience or the commission?

9 (NO RESPONSE)

10 CHAIRMAN: Chair is ready for a motion.

11 MS. DIXON: Move to approve.

12 CHAIRMAN: Motion for approval by Ms. Dixon.

13 MR. HAYDEN: Second.

14 CHAIRMAN: Second by Mr. Hayden. All in favor
15 raise your right hand.

16 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

17 CHAIRMAN: Motion carries unanimously.

18 -----

19 NEW BUSINESS

20 ITEM 11

21 The Brooks, 28.013 acres
22 Consider approval of amended major subdivision
23 preliminary plat.
24 Applicant: Owensboro Master Builder, Inc.

25 MR. NOFFSINGER: Mr. Chairman, this plat is in
26 order and ready for approval.

27 CHAIRMAN: Any questions from the audience?

28 (NO RESPONSE)

1 CHAIRMAN: From the commission?

2 (NO RESPONSE)

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

5 MS. DIXON: Move to approve.

6 CHAIRMAN: Motion for approval by Ms. Dixon.

7 MR. APPLEBY: Second.

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

10 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

11 CHAIRMAN: Motion carries unanimously.

12 Mr. Noffsinger, does that complete our agenda?

13 MR. NOFFSINGER: Yes, sir.

14 CHAIRMAN: We're ready for one final motion.

15 MR. TAYLOR: Move to adjourn.

16 CHAIRMAN: Motion for adjournment by Mr.
17 Taylor.

18 MR. APPLEBY: Second.

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

21 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

22 CHAIRMAN: We are adjourned.

23 -----

24

25

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 23 typewritten pages; and that no signature
15 was requested to the foregoing transcript.

16 WITNESS my hand and notary seal on this the
17 15th day of March, 2007.

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

24

25