

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 OCTOBER 11, 2007

3 The Owensboro Metropolitan Planning Commission  
4 met in regular session at 5:30 p.m. on Thursday,  
5 October 11, 2007, at City Hall, Commission Chambers,  
6 Owensboro, Kentucky, and the proceedings were as  
7 follows:

- 8 MEMBERS PRESENT: Drew Kirkland, Chairman
- 9 Gary Noffsinger, Director
- 10 Judy Dixon
- 11 Dave Appleby
- 12 Tim Miller
- 13 Irvin Rogers
- 14 Wally Taylor
- 15 Keith Evans
- 16 Madison Silvert, Attorney

17 \* \* \* \* \*

18 CHAIRMAN: I would like to welcome everybody  
19 to our October meeting of the Owensboro Metropolitan  
20 Planning Commission. Would you please stand while our  
21 invocation and pledge is given by Ms. Judy Dixon.

22 (INVOCATION AND PLEDGE OF ALLEGIANCE.)

23 CHAIRMAN: Our first order of business is to  
24 consider the minutes of the September 13th meeting.  
25 Are there any questions, corrections, additions?

(NO RESPONSE)

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

MS. DIXON: Move to approve.

1 CHAIRMAN: Motion for approval by Ms. Dixon.

2 MR. TAYLOR: Second.

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

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: Motion carries unanimously.

7 Next item, please.

8 -----

9 ZONING CHANGES

10 ITEM 2

11 10416, 10420 Red Hill-Maxwell Road, 2.372 acres  
12 Consider zoning change: From B-4 General Business and  
13 A-R Rural Agriculture to A-R Rural Agriculture  
Applicant: Billy J. Young, Donald Saunders

14 MR. SILVERT: State your name, please.

15 MR. HOWARD: Brian Howard.

16 (MR. BRIAN HOWARD SWORN BY ATTORNEY.)

17 PLANNING STAFF RECOMMENDATIONS

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

22 FINDINGS OF FACT

- 23 1. The subject property is located in a Rural
- 24 Maintenance Plan Area where Rural Large-lot
- 25 Residential uses are appropriate in limited locations;

1                   2. The subject property is an existing,  
2 well-proportioned lot that is 2.372 acres in size;

3                   3. The subject property has frontage on KY  
4 140 East which is a state maintained road and Red  
5 Hill-Maxwell Road which is a county maintained road  
6 with no new roads or streets proposed or required;  
7 and,

8                   4. The A-R zoning will eliminate split zoning  
9 on the property and it is a more appropriate zone  
10 based on uses and zoning in the immediate area.

11                  MR. HOWARD: We would like to enter the Staff  
12 Report into the record.

13                  CHAIRMAN: Do we have anybody representing the  
14 applicant?

15                  (NO RESPONSE)

16                  CHAIRMAN: Do we have any questions?

17                  (NO RESPONSE)

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

20                  MR. APPLEBY: Motion for approval based on the  
21 Staff's Recommendations and Findings of Fact 1 through  
22 4.

23                  CHAIRMAN: We have a motion for approval by  
24 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 ITEM 3

7 1760-1860 Block River Road, 70.50 acres  
8 Consider zoning change: From I-1 Light Industrial and  
9 EX-1 Coal Mining to A-U Urban Agriculture  
Applicant: Robert Wimsatt

10 MR. HOWARD: Before I read the Staff Report,  
11 I'll add that the Planning Commission's  
12 recommendations will become final 21 days after the  
13 meeting tonight unless an applicant or a concerned  
14 property owner or neighbor files an application with  
15 our office or the city or county choose to hear the  
16 rezoning. Any of those have to be filed in our  
17 office. The forms are available on the back table or  
18 in our office.

19 PLANNING STAFF RECOMMENDATIONS

20 Staff recommends approval because the proposed  
21 agricultural zoning is more appropriate than a split  
22 agricultural and industrial zoning in the property.  
23 The condition and findings of fact that support this  
24 recommendation include the following:

25 CONDITION

1           Access to the subject property shall be in  
2 alignment with Rinaldo Road. Any additional access to  
3 River Road shall meet the minimum requirements of the  
4 Access Management Manual.

5 FINDINGS OF FACT

6           1. The subject property is partially located  
7 in an Industrial Plan Area where agricultural uses are  
8 generally not recommended and partially in Future  
9 Urban Plan Area where agricultural uses are  
10 appropriate in general locations;

11           2. According to Owensboro Metropolitan Zoning  
12 Ordinance Section 12a.31, the site shall revert to  
13 original zoning prior to coal mining activity on the  
14 site;

15           3. A single agricultural zoning for the  
16 entire tract is more appropriate than a split zoning  
17 of agricultural and industrial since the majority of  
18 the subject property was zoned A-U Urban Agriculture  
19 prior to being rezoned to EX-1 Coal Mining; and,

20           4. At 70.5 acres, the subject property is  
21 large enough to sustain forestry activities and  
22 support agricultural activity which would encourage  
23 the conservation of agricultural soils.

24           MR. HOWARD: We would like to enter the Staff  
25 Report into the record as Exhibit B.

1                   CHAIRMAN: Do we have anybody here  
2 representing the applicant?

3                   MR. WILSON: Yes.

4                   MR. SILVERT: State your name, please.

5                   MR. WILSON: Bill Wilson.

6                   (MR. BILL WILSON SWORN BY ATTORNEY.)

7                   MR. WILSON: Mr. Chairman, we have talked with  
8 Mr. Noffsinger and Madison a time or two today. I  
9 think we've worked out something on the access.

10                   This is a situation where Mr. Wimsatt's 70  
11 acre tract has about 900 feet and the Rinaldo, the  
12 access point that's there now, which is lined up I  
13 believe with Rinaldo Road, is an old coal haul road  
14 there. That's on one side of a big ravine. On the  
15 other side of the ravine is a field that Bob's son and  
16 daughter-in-law want to build a home on and they can't  
17 get over to that through that ravine. So we've asked  
18 for a driveway, an access easement for a driveway for  
19 their home that they're intending to build real soon.

20                   So I think, Gary, correct me, I know you will,  
21 if I'm wrong. I think what we've agreed to do, Bob  
22 has some property immediately adjacent to this that  
23 has some, I don't know if it's even used, an access  
24 point on it that we would give up in order to get this  
25 driveway. It still means that we don't quite meet the

1 500, but our total footage, it gives us enough total  
2 footage where we can get 500 feet away from that  
3 Rinaldo Road. It's going to be about 400 and 500,  
4 about that.

5 MR. NOFFSINGER: Yes, sir.

6 MR. WILSON: If we could have the conditions  
7 changed just slightly. We certainly would like for  
8 this rezoning to go through where they could have an  
9 access and put a driveway for a home in that field.  
10 Also the access that's there now, which does line up  
11 with Rinaldo Road, which I know is what you all would  
12 like done and should be done.

13 CHAIRMAN: Mr. Noffsinger.

14 MR. NOFFSINGER: Mr. Chairman, if I might.  
15 The Staff wishes to amend their condition and the  
16 amendment shall read as follows:

17 Access to the subject property shall be in  
18 alignment with Rinaldo Road. A second access point  
19 may be located 500 feet from the center line of  
20 Rinaldo Road. That would be going south. The  
21 applicant physically close the access point on  
22 adjoining property to the north owned by the applicant  
23 at the time of construction of the second access to  
24 the subject property.

25 MR. WILSON: That's exactly what we agree to.

1 Thank you.

2 CHAIRMAN: Mr. Wilson, you're in agreement  
3 with what Mr. Noffsinger said, correct?

4 MR. WILSON: Yes, we are. We understand later  
5 things can change and 20 years from now we may have to  
6 come back to this commission, but we are in agreement  
7 with that, yes.

8 CHAIRMAN: Thank you, Mr. Wilson.  
9 Are there any questions of the applicant?

10 (NO RESPONSE)

11 CHAIRMAN: Does anybody on the commission have  
12 any questions?

13 (NO RESPONSE)

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

16 MR. ROGERS: Motion for approval based on  
17 Planning Staff Recommendation with the revised  
18 condition and Findings of Facts 1 through 4.

19 CHAIRMAN: We have a motion for approval by  
20 Mr. Rogers.

21 MR. APPLEBY: Second.

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

24 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

25 CHAIRMAN: Motion carries unanimously.



1 Next item, please.

2 ITEM 4

3 4424 KY 54, Portion of 4228, 4410, 4428 KY 54,  
2.03 +/- acres

4 Consider zoning change: From A-U Urban Agriculture  
and R-1A Single-Family Residential to B-4 General  
5 Business

6 Applicant: Millers Mill Plaza, Lake Forest Community,  
LLC

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. Access to KY 54 shall be limited to the  
15 single access point as shown on the amended Millers  
16 Mill Plaza preliminary plat/final development plan  
17 submitted with the rezoning application;

18 2. Access to Millers Mill Road shall be  
19 limited to the single access point as shown on the  
20 amended Millers Mill Plaza preliminary plat/final  
21 development plan submitted with the rezoning  
22 application;

23 3. An eastbound right turn decel and storage  
24 lane shall be installed on KY 54 at the proposed  
25 access to the development in compliance with KYTC

1 standards;

2 4. A 10 foot landscape easement with a six  
3 foot element and one tree every 10 feet shall be  
4 installed along the south and west property lines  
5 where adjoining residential zoning;

6 5. Approval of the amended preliminary  
7 plat/final development plan prior to any construction  
8 activities on the subject property;

9 6. Springhill Drive shall be stubbed to the  
10 western property line for future interconnection; and,

11 7. Due to the proximity to existing  
12 residential zones, all lighting for the subject  
13 property shall be directed away from the residential  
14 property to reduce the glare and impact of the  
15 lighting on the residential uses.

16 FINDINGS OF FACT

17 1. The subject property is partially located  
18 in a Business Plan Area where general business uses  
19 are appropriate in limited locations and partially  
20 located in an Urban Residential Plan Area where  
21 general business uses are appropriate in very-limited  
22 locations;

23 2. The proposed use of the property as a  
24 commercial subdivision will be nonresidential in use;

25 3. The proposed zoning change is a logical

1 expansion of an existing general business zoning  
2 classification located immediately north and east of  
3 the subject property; and,

4 4. With the installation of an eastbound  
5 right turn lane on KY 54 at the proposed access point,  
6 the development should not overburden the capacity of  
7 roadways and other necessary urban services that are  
8 available in the affected area.

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

11 CHAIRMAN: Thank you.

12 Do we have somebody representing the  
13 applicant?

14 APPLICANT REP: Yes.

15 CHAIRMAN: Does anybody in the audience have a  
16 question of the applicant?

17 (NO RESPONSE)

18 CHAIRMAN: Anybody on the commission?

19 (NO RESPONSE)

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

22 MR. APPLEBY: Motion for approval based on the  
23 Staff Recommendations with Conditions 1 through 7 and  
24 Findings of Fact 1 through 4.

25 CHAIRMAN: We've got a motion for approval by

1 Mr. Appleby.

2 MS. DIXON: Second.

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

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: Motion carries unanimously.

7 Thank you very much. Next item, please.

8 Related Item

9 ITEM 4A

10 Millers Mill Plaza, 10.8a +/- acres  
11 Consider approval of amended major subdivision  
12 preliminary plat/final development plan.  
13 Applicant: Millers Mill Plaza, Lake Forest Community,  
14 LLC

15 MR. NOFFSINGER: Mr. Chairman, this plan has  
16 been reviewed by the Planning Staff and Engineering  
17 Staff. It's found to be in order. It's found to be  
18 consistent with the zoning ordinance and subdivision  
19 regulations, as well as its use is consistent with the  
20 adopted Comprehensive Plan.

21 CHAIRMAN: Anybody here representing the  
22 applicant?

23 APPLICANT REP: Yes.

24 CHAIRMAN: Does anybody have 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 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.

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10 DEVELOPMENT PLANS

11 ITEM 5

12 710, 714 East Third Street, 0.347 acres  
13 Consider approval of amended final development plan.  
14 Applicant: Duane & Bridgett Ward, Owensboro Grain  
Company, LLC

15 MR. NOFFSINGER: Mr. Chairman, this plan has  
16 been reviewed by the Engineering Staff and Planning  
17 Staff. It's found to be in order. Its use is found  
18 to be consistent with the adopted comprehensive plan  
19 as well as the zoning ordinance and subdivision  
20 regulations.

21 CHAIRMAN: Is anybody here representing the  
22 applicant?

23 APPLICANT REP: Yes.

24 CHAIRMAN: Anybody have any questions of the  
25 applicant?

1 (NO RESPONSE)

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

4 MS. DIXON: Move to approve.

5 CHAIRMAN: Motion for approval by Ms. Dixon.

6 MR. TAYLOR: Second.

7 CHAIRMAN: Second by Mr. Taylor. 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 COMBINED DEVELOPMENT PLAN/MAJOR SUBDIVISIONS

14 ITEM 6

15 3151, 3159 KY 54, 23.47 acres (Postponed from  
16 September 13, 2007)  
17 Consider approval of amended major subdivision  
18 preliminary plat/final development plan.  
19 Applicant: Carlson Consulting Engineers, Inc.;  
20 Wal-Mart Stores, Inc.

21 MR. NOFFSINGER: Mr. Chairman, this plan has  
22 been reviewed by the Planning Staff and Engineering  
23 Staff. It's found to be consistent with the Zoning  
24 Ordinance and subdivision regulations and its use is  
25 in compliance with the adopted comprehensive plan.

26 CHAIRMAN: Is someone here representing the  
27 applicant?

1 APPLICANT REP: Yes.

2 CHAIRMAN: Do we have any questions of the  
3 applicant?

4 (NO RESPONSE)

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

7 MR. APPLEBY: Motion to approve.

8 CHAIRMAN: Motion for approval by Mr. Appleby.

9 MR. MILLER: Second.

10 CHAIRMAN: Second by Mr. Miller. All in favor  
11 raise your right hand.

12 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

13 CHAIRMAN: Motion carries unanimously.

14 Next item, please.

15 Related Item

16 ITEM 6A

17 3151, 3159 KY 54, 23.47 acres (Postponed from  
18 September 13, 2007)

19 Consider approval of major subdivision final plat.

Surety: Previously posted

20 Applicant: Carlson Consulting Engineers, Inc.;

Wal-Mart Stores, Inc.

21 MR. NOFFSINGER: Mr. Chairman, this plat has  
22 been reviewed by the Planning Staff and Engineering  
23 Staff. It's found to be consistent with the zoning  
24 ordinance and subdivision regulations.

25 CHAIRMAN: We have someone representing the

1 applicant here. Does anybody have any questions?

2 (NO RESPONSE)

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

5 MR. MILLER: Motion to approve.

6 CHAIRMAN: Motion for approval by Mr. Miller.

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 Next item, please.

13 -----

14 MAJOR SUBDIVISIONS

15 ITEM 7

16 Harbor Hills, Section 1, Unit 3, Lots 11-16, 3.610  
17 acres

18 Consider approval of major subdivision final plat.  
Surety (Certificate of Deposit) posted: \$55,237.25  
Applicant: Robert Wimsatt

19 MR. NOFFSINGER: Mr. Chairman, this plat has  
20 been reviewed by the Planning Staff and Engineering  
21 Staff. This plat is found to be consistent with the  
22 approved preliminary plat and ready for consideration.

23 CHAIRMAN: Anybody here representing the  
24 applicant?

25 APPLICANT REP: Yes.



1 CHAIRMAN: Does anybody have any questions of  
2 the applicant?

3 (NO RESPONSE)

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

6 MR. ROGERS: Motion for approval.

7 CHAIRMAN: Motion for approval by Mr. Rogers.

8 MR. APPLEBY: Second.

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

11 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

12 CHAIRMAN: Motion carries unanimously.

13 Next item, please.

14 ITEM 8

15 Hunters Ridge, 16.16 acres  
16 Consider approval of major subdivision preliminary  
17 plat.  
Applicant: Hunters Ridge Development, Inc.

18 MR. NOFFSINGER: Mr. Chairman, this plat has  
19 been reviewed by the Planning Staff and Engineering  
20 Staff. It's found to be consistent with the zoning  
21 ordinance and subdivision regulations and its use is  
22 consistent with the adopted comprehensive plan.

23 CHAIRMAN: Is anybody here representing the  
24 applicant?

25 APPLICANT REP: Yes.

1 CHAIRMAN: Are there any questions of the  
2 applicant?

3 (NO RESPONSE)

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

6 MS. DIXON: Move to approve.

7 CHAIRMAN: Motion for approval by Ms. Dixon.

8 MR. EVANS: Second.

9 CHAIRMAN: Second by Mr. Evans. 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 ITEM 9

15 Lake Forest, Unit 28, Lots 334, 349-356, 4.682 +/-  
16 acres

17 Consider approval of major subdivision final plat.  
18 Surety (Certificate of Deposit and Certified Check)  
19 posted \$39,644.70

20 Applicant: Lake Forest Community, LLC

21 CHAIRMAN: Mr. Chairman, this plat has been  
22 reviewed by the Planning Staff and Engineering Staff.  
23 It's found to be consistent with the approved  
24 preliminary subdivision plat and it's ready for  
25 consideration.

26 CHAIRMAN: We have someone representing the  
27 applicant here. Does anybody have any questions?

1 (NO RESPONSE)

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

4 MR. APPLEBY: Motion for approval.

5 CHAIRMAN: Motion for approval by Mr. Appleby.

6 MR. EVANS: Second.

7 CHAIRMAN: Second by Mr. Evans. 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 10

13 Owensboro Scholarhouse, 10.83 acres  
14 Consider approval of major subdivision final plat.  
15 Surety (Letter of Credit) posted: \$370,747.95  
16 Applicant: The Learning Villa, Limited

17 MR. NOFFSINGER: Mr. Chairman, this plat has  
18 been reviewed by the Planning Staff and Engineering  
19 Staff. It's found to be consistent with the approved  
20 preliminary plat and approved development plan.

21 CHAIRMAN: Is somebody here representing the  
22 applicant?

23 APPLICANT REP: Yes.

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

(NO RESPONSE)

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

3 MR. EVANS: Motion to approve.

4 CHAIRMAN: Motion for approval by Mr. Evans.

5 MR. TAYLOR: Second.

6 CHAIRMAN: Second by Mr. Taylor. 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 ITEM 11

12 Waterford Village, Unit 3, 14.005 acres  
13 Consider approval of major subdivision final plat.  
14 For development transfer only, no surety required  
15 Applicant: The Summit, LLC

16 MR. NOFFSINGER: Mr. Chairman, this plat has  
17 been reviewed by the Planning Staff and Engineering  
18 Staff. It's found to be in order and ready for  
19 consideration.

20 CHAIRMAN: Do we have anybody representing the  
21 applicant?

22 APPLICANT REP: Yes.

23 CHAIRMAN: Do we have any questions of the  
24 applicant?

25 (NO RESPONSE)

CHAIRMAN: If not the chair is ready for a

1 motion.

2 MR. APPLEBY: Motion for approval.

3 CHAIRMAN: Motion for approval by Mr. Appleby.

4 MR. ROGERS: Second.

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

7 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

8 CHAIRMAN: Motion carries unanimously.

9 Mr. Noffsinger, do we have any new business?

10 MR. NOFFSINGER: Under new business we do have  
11 one item. That would be an amendment to our lease  
12 agreement for our offices located at the Center for  
13 Commerce. These are basically housekeeping items that  
14 will detail the responsibility for certain maintenance  
15 items within the building.

16 For example, who is responsible for changing  
17 light bulbs, as well as utilities within that  
18 building, and extends our lease period for an  
19 additional two years.

20 Each member has been made aware of the lease  
21 agreement. It's been reviewed by our attorney. I  
22 would ask that the Planning Commission authorize the  
23 chairman and the director to sign the lease amendment.

24 CHAIRMAN: Do we have a motion?

25 MR. APPLEBY: Motion to approve.

1 CHAIRMAN: Motion for approval by Mr. Appleby.

2 MR. MILLER: Second.

3 CHAIRMAN: Second by Mr. Miller. All in favor  
4 raise your right hand.

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: Motion carries unanimously.

7 The chair is ready for one final motion.

8 MS. DIXON: Move to adjourn.

9 CHAIRMAN: Motion for adjournment by Ms.  
10 Dixon.

11 MR. EVANS: Second.

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

14 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

15 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 22 typewritten pages; and that no signature  
 15 was requested to the foregoing transcript.

16 WITNESS my hand and notary seal on this the  
 17 25th day of October, 2007.

18  
 19

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

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COMMISSION EXPIRES: DECEMBER 19, 2010

COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY

