The Owensboro Metropolitan Planning Commission
met in regular session at 5:30 p.m. on Thursday, May
8, 2008, at City Hall, Commission Chambers, Owensboro,
Kentucky, and the proceedings were as follows:

MEMBERS PRESENT:  Drew Kirkland, Chairman
Judy Dixon, Vice Chairman
David Appleby, Secretary
Gary Noffsinger, Director
Madison Silvert, Attorney
Tim Miller
Jimmy Gilles
Wally Taylor
Keith Evans
Martin Hayden
Rita Moorman

* * * * * * * * * * * * * * * * * *
CHAIRMAN: I would like to welcome everyone to
our May 8th Owensboro Metropolitan Planning
Commission.

Will you please rise. Our invocation and
pledge of allegiance will be given by Mr. Zack
Williams.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: Our next order of business will be
to consider the minutes of the April 10, 2008 meeting.
Are there any additions, corrections?

(NO RESPONSE)

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

MS. DIXON: Move to approve.

CHAIRMAN: Motion for approval by Ms. Dixon.

MS. MOORMAN: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

----------------------------------------------

CELLULAR TELECOMMUNICATIONS FACILITIES

PER KRS 100.987

ITEM 2

343 Sutton Lane
Consider approval of a temporary wireless telecommunications tower.
Applicant: William R. Mathis; New Cingular Wireless, PCS, LLC (AT&T)

MR. SILVERT: State your name, please.

MR. HOWARD: Brian Howard.

(BRIAN HOWARD SWORN BY ATTORNEY.)

MR. HOWARD: As Mr. Noffsinger stated, this proposal is for a temporary cellular on wheels tower; more commonly called COW.

In the Staff Report that I've included in your packet, it spells out the specifics. Basically the tower is 115 feet in height. No lighting. They are
requesting two waivers since it is a temporary tower.

The first waiver is that the zoning ordinance
requires a 8 foot chain-link fence around the
property. They're proposing to put up a 6 foot fence.

The second is that they request a waiver on
the staggered pine trees around the perimeter of the
property. Again, due to temporary nature of the
property.

Staff really doesn't have any objection to
either one of those waiver requirements. I know the
applicant is here, as well, if you have any questions
of him. Again, I'd be happy to answer any other
questions.

CHAIRMAN: Does anybody have a question of the
applicant?

(NO RESPONSE)

CHAIRMAN: Does anybody on the commission have
a question?

(NO RESPONSE)

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

MR. APPLEBY: Motion for approval, Mr.
Chairman.

CHAIRMAN: Motion for approval by Mr. Appleby.

MR. HAYDEN: Second.
CHAIRMAN: Second by Mr. Hayden. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

-----------------------------

ZONING CHANGES

ITEM 3

6192, 6200 Highway 54, 0.68 acres
Consider zoning change: From B-4 General Business to I-1 Light Industrial
Applicant: Tim Peay, All American Masonry, Inc.

PLANNING STAFF RECOMMENDATIONS

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

CONDITIONS:

1. A final development plan shall be submitted for approval of the OMPC within 30 days of the Planning Commission hearing;

2. All vehicular use areas shall be paved and the screening shall include a three foot landscape easement with a continuous three foot high element with one tree every 40 linear feet;
3. Access to Highway 54 shall be in conformance with the adopted street access standards, restricted to no more than 40 percent of the street frontage; and,

4. Since the required improvements to the site were not accomplished with the prior rezoning as conditioned, surety should be posted at the time of final development plan submittal for the paving and vehicular use area screening.

FINDINGS OF FACT:

1. The subject property is located in a Rural Community Plan Area, where light industrial uses are appropriate in limited locations;

2. The subject property is situated in the rural community of Philpot on a major street;

3. The subject property is contiguous to I-1 Light Industrial zones and use; and,

4. At 0.68 acres, I-1 Light Industrial expansion should not significantly increase the extent of industrial uses that are located in the vicinity and outside of Industrial Parks. Also, such an expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

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

CHAIRMAN: Do we have someone representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do we have any questions of the applicant?

(NO RESPONSE)

CHAIRMAN: Does anybody on the commission have any questions?

(NO RESPONSE)

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

MR. HAYDEN: Make a motion for approval with Staff Recommendations with Conditions 1 through 4 and Findings of Fact 1 through 4.

CHAIRMAN: We’ve got a motion for approval by Mr. Hayden.

MR. MILLER: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 4

2800 US Highway 60 East, 2.954 acres
Consider zoning change: From R-3MF Multi-Family
Residential and B-4 General Business to B-4 General Business
Applicant: Wyndall's Center, Inc.

PLANNING STAFF RECOMMENDATIONS

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

CONDITIONS:

1. No access shall be permitted to East Sixth Street with access to the tract limited to the existing vehicular use area of the adjoining shopping center;

2. Submission of a final development plan prior to issuance of building permit;

3. All vehicular use areas shall be paved;

4. A 10' landscape easement with a six foot element and one tree every 40 linear feet shall be installed where adjoining residentially zoned property to the south and west; and,

5. Due to the proximity to existing residential zones, all lighting for the subject property shall be directed away from the residential property to reduce the glare and impact of the lighting on the residential uses.
FINDINGS OF FACT:

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

2. A portion of the subject property is currently zoned B-4 General Business;

3. The proposal is a logical expansion of B-4 zoning located immediately north and east of the subject property; and,

4. With no access to East Sixth Street, US Highway 60 East or Pleasant Valley Road, the expansion of the B-4 zoning should not significantly increase the extent of the zone in the vicinity of the expansion and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

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

CHAIRMAN: Do we have anybody representing the applicant?

MR. KAMUF: Mr. Chairman, Charles Kamuf.

MR. SILVERT: Mr. Kamuf, I recognize the oath you took when you were admitted to the bar.

MR. KAMUF: Just a short statement.

I represent T.A. and Stanton Smith. They own
the subject property and they own Wyndall's Center.

Next to the property that you see in yellow is a 2.75 acre tract of ground. It adjoins Wyndall's Shopping Center. The part that you see outlined in red, that is about a 11.79 acre tract, exempting Wyndall Shopping Center.

The part with the hash marks, that property is presently zoned. Part of it to the north is already zoned B-4.

Several years ago there was a request by the Smiths to get the property zoned from commercial to multi-family. Now they have requested the property to be zoned B-4. The lot is vacant.

As I said, part of it is already B-4. It meets the logical expansion use of the criteria for the comprehensive plan. I have some plats to present.

I met with the neighbors before the meeting and I think I've tried to answer what most of their issues were. One lady was concerned about access off of Sixth Street. I told her according to the finding of fact there will be no access off of Sixth Street. We cannot tell you exactly what will be there.

However, there is a requirement under one of the conditions to have a development plan. I don't want to make it complicated. I think we can answer most
any questions that they have. I think we probably have. If you have any more questions, Mr. Smith is here and we agree to all the conditions in the Staff Report.

CHAIRMAN: Thank you, Mr. Kamuf. Let's see if there are any questions.

Are there any questions from anybody in the audience?

(NO RESPONSE)

CHAIRMAN: Does anybody on the commission have any questions?

(NO RESPONSE)

CHAIRMAN: Thank you, Mr. Kamuf.

The chair is now ready for a motion.

MR. APPLEBY: Mr. Chairman, make a motion for approval based on the Staff Recommendations with Conditions 1 through 5 and on the Findings of Fact 1 through 4.

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

MR. HAYDEN: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.
Next item, please.

MR. NOFFSINGER: Mr. Chairman, I need to make a statement that we should have made at the beginning of the zoning changes. Before anyone leaves please, let me make this statement so that we're covered.

On these Items 3, 4, 5, the three zoning changes we have on the agenda, the action that the Planning Commission takes tonight will become final in 21 days from this meeting, unless an agreed party request that the Daviess County Fiscal Court or the Owensboro City Commission, whichever has jurisdiction, hear that request. I just needed to make sure that we made that statement. That the recommendation becomes final in 21 days. So you have 21 days to appeal to a legislative body.

MS. CHRISLER: Can I say something now?

CHAIRMAN: Is it in regards to this case?

MS. CHRISLER: Yes.

CHAIRMAN: You can make a comment. If you're going to make a comment, you need to come to the podium there.

MS. CHRISLER: My name is Jane Chrisler. I'm a neighbor of the property.

(JEAN CHRISLER SWORN BY ATTORNEY.)

MS. CHRISLER: I have one question. I
understood from Mr. Kamuf, and I want to be sure that
I'm right, that there will be no other meeting when
the times comes for whoever is going to do some
building to know anything about that. That's already
settled and will not be another meeting on that?

CHAIRMAN: I think Mr. Noffsinger can answer
that.

MR. NOFFSINGER: At some point in time when
they are ready to develop the property they will
submit a development plan to the planning office.
That plan will most likely be reviewed and approved
in-house and there will not be another meeting for
that development plan.

MS. CHRISLER: No public meeting?

MR. NOFFSINGER: That's right.

MS. CHRISLER: Thank you.

CHAIRMAN: Next item.

ITEM 5

7200 Block US Highway 431, 2.00 acres
Consider zoning change: From A-R Rural Agriculture to
I-1 Light Industrial
Applicant: H&R Agri-Power Equipment, Mike and Larry
Hayden

PLANNING STAFF RECOMMENDATIONS

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

CONDITIONS:

1. The parent tract, which would include the entire road frontage for the approximately 61 acre parent tract zoned to A-R and I-1 in January 2008, shall be limited to two access points on US 431, as conditioned on the prior zoning change;

2. Submission of a consolidation plat to consolidate the subject property to the previously created industrial lot;

3. All vehicular use areas shall be paved and vehicular use area screening shall be installed; and,

4. Any outdoor storage areas shall be completely screened with a six foot high continuous fence.

FINDINGS OF FACT:

1. The subject property is located in a Rural Community Plan Area, where light industrial uses are appropriate in limited locations;

2. The subject property is a logical expansion of I-1 zoning located immediately east of the subject property; and,

3. At 2.00 acres, I-1 Light Industrial expansion should not significantly increase the extent
of industrial uses that are located in the vicinity and outside of Industrial Parks. Also, such an expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

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

CHAIRMAN: Is there anybody here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Does anybody have any questions?

(NO RESPONSE)

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

MR. GILLES: Motion to approve based on Staff's findings and Conditions 1 through 4 and Findings of Fact 1, 2 and 3.

CHAIRMAN: We've got a motion for approval by Mr. Gilles.

MR. APPLEBY: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.
MR. NOFFSINGER: Mr. Chairman, on Item 6 the applicant request that you take a vote to postpone action on this item.

CHAIRMAN: In that case all we need is a motion for postponement.

MS. DIXON: Move to postpone.

CHAIRMAN: Ms. Dixon has a motion for postponement.

MR. MILLER: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously. The item is postponed.

Next item, please.

COMBINED DEVELOPMENT PLAN/MAJOR SUBDIVISIONS

ITEM 7

Horizon Place, 3.28 acres (Postponed at April 10, 2008 meeting)
Consider approval of major subdivision preliminary plat/final development plan.
Applicant: Wabuck Development Company, Inc.; The Learning Villa, Limited

MR. NOFFSINGER: Mr. Chairman, Planning Staff and Engineering Staff has reviewed this item. It's found to be consistent with the adopted zoning
ordinance and subdivision regulations and its use is consistent with the adopted comprehensive plan.

CHAIRMAN: Do we have anybody representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do we have any questions of the applicant?

MR. CONDON: Yes.

MR. SILVERT: State your name, please.

MR. CONDON: My name is David Condon, Director of Housing Authority of Owensboro, 2161 East 19th Street, Owensboro, Kentucky.

(DAVID CONDON SWORN BY ATTORNEY.)

MR. CONDON: Mr. Chairman, I want to thank you for the opportunity to speak. I don't have a question of the applicant. I just want to bring some issues and concerns that we have with respect to this development to the commission. With your permission it won't take very long.

CHAIRMAN: It is in regards to this specific issue?

MR. CONDON: Yes. The specific issue on Horizon Place.

Our concerns, we have expressed these concerns to the City Commission a couple of weeks ago when
there was an ordinance closing what they had reserved as a right-of-way to straighten out Leitchfield Road at the intersection of Leitchfield Road and East 18th Street. The developer was present at the time so they're aware of our concerns.

I felt it important to come to this body to reiterate those concerns. That you're aware of the concerns and our understanding of the situation there.

When this project was developed or first implemented, we had the Scholarhouse, which we are participating in, in terms of being the administrator of an assisting case to administer the program. That's been built and those buildings are up and should be ready for occupancy shortly.

Horizon Place is an addition of 34 units for senior persons age 55 and older. In order to be able to build that however it turns out that they had to, they didn't have enough acreage. I don't know how they were told or how they were instructed to proceed, but the way they proceeded was to ask the city to close this right-of-way. So it gave them additional setback, additional land on which to build on the setback requirements.

The problem we have is not with the development. The problem is with the safety issue
that creates because with Horizon Place and the Scholarhouse, we're looking at 186 vehicles according to the parking regulations that are anticipated to be entering that site throughout the day and various times during the day.

That intersection is the crossing point for approximately 100 children in our development that go to school at Estes. That's a rough count today. I can't say that's an exact count, but we think it's about 100. There are other neighborhood children that don't live with us, but cross at that point also.

We now have all this traffic coming in. We believe the predicate for the closing of the right-of-way was of the street, East 18th, would continue from Leitchfield all the way to down to Parrish Avenue. Well, that hasn't happened yet and there's nothing on the plats or plans that show that's going to be happening. We're hoping that it happens. I presume the developer hopes that's going to happen, but until that happens there's an issue with the development of these two sites for all the traffic entering and exiting 18th Street. So there's a safety issue that I think this body should be aware of.

I don't know, you know, the city recognized some years ago the safety issue on Leitchfield Road.
That's why we reserved the right-of-way. They were under the impression that it was going to continue on. East 18th would be extended out to Parrish. That hasn't happened. The question I guess is: What should be done from the developer's point of view? I'm not going to speak for the developer, but I understand that the question is -- this development plan with the new, reflecting the new setbacks and the abandonment of the right-of-way. I don't know whether perhaps they could get a variance from the setback. I don't know if they could relocate this main building, which is houses, and most of the units more interior to the property line to allow that safety margin to be developed in the future.

The point is some time ago the city determined that was a dangerous roadway, a reserved right-of-way to straighten it and make it more safe.

CHAIRMAN: Before we get too deep in your statements, let's address some of your questions before we get too much rhetoric in the comments that we don't get your questions answered.

I think for the first thing also to summarize, and Mr. Noffsinger will address, as far as the right-of-way issue and as far as the city closing or making adjustments on the right-of-way, I think Mr.
Mr. Noffsinger can address that.

MR. NOFFSINGER: I'll defer to Staff, Brian Howard.

CHAIRMAN: Mr. Howard.

MR. HOWARD: In regard to right-of-way closure, the Planning Commission was given a facility review to review as part of that closure. It was action that was undertaken by the city to close the right-of-way. Planning Commission Staff didn't encourage the applicant to close the right-of-way. It wasn't done at our request. It was done at the -- I guess the applicant initiated the process and moved through the proper channels to have that done.

CHAIRMAN: So the proper answer or the total answer there is actually the city took action there and it was obviously studied by the city engineer and passed by the city commission.

MR. HOWARD: Right. Part of that I believe, and again the applicant is here, but they dedicated a little bit of additional right-of-way beyond what was closed. I think that was for a right turn improvement; is that correct?

MR. DYER: Yes.

MR. HOWARD: That was my understanding. That they were looking at, the city engineer's office was
looking at putting a right turn maneuver in there that
could accommodate the traffic. They are actually
dedicating a little bit of right-of-way more than what
was, beyond what they're getting back from the closure
right-of-way.

CHAIRMAN: Thank you, Mr. Howard.
Would the applicant step forward, please.

MR. APPLEBY: Brian, am I understanding you
that there is going to be a right turn lane into this
development?

MR. HOWARD: That was my understanding. That
was what the city engineer's office was negotiating.
Brian Dyer is here. He may be able to address that
more fully.

MR. SILVERT: State your name, please.

MR. DYER: My name is Brian Dyer.

(BRIAN DYER SWORN BY ATTORNEY.)

CHAIRMAN: Mr. Appleby, do you want to
address?

MR. APPLEBY: I assume that Brian is correct,
that you're putting a right turn decel lane into this
property?

MR. DYER: We are not. The city engineer had
us to make sure that all stopping site distances and
all the safety precautions that the State of Kentucky
has are met at this intersection. Addressing more on
the issue of us acquiring this right-of-way back, the
idea from the city engineer and from the Planning
Commission was that the initial thought was that Old
Leitchfield Road would be straightened out. Since we
have put in a new 18th Street, all the traffic will be
going that direction. Now, we don't own the property
that it continues on. We went ahead and designed the
road to end up on 54. It was the desire of the
engineer department and others that the main
thoroughfare go on 18th Street instead of
straightening out Leitchfield Road. That's the future
plans and that was the reasoning for the right-of-way
closing.

Also to address some of his concerns. This is
an elderly facility that we're putting in here. I
don't think the traffic volume from this elderly
facility will be that large. We typically -- I don't
have a set of plans with me. It's different in every
city, the community it's in. What's the parking
requirement?

Two spaces per units. That was what he was
basing his numbers on. Typically we're in a one space
per unit, and they don't drive a lot. So we're not
adding that much traffic to this intersection, if
you're just counting all spaces that we're providing for the development. That's been our experience. We've done this numerous times. We went ahead and, of course, met the parking requirements for the Planning Commission on this project. We have studies that back that up.

CHAIRMAN: When you said engineer, is that city or county right there?

MR. DYER: It's both. We work with both engineers.

CHAIRMAN: So you have a review by the city engineer and the county engineer?

MR. DYER: And the county engineer. This was all done initially during the Scholarhouse when we were talking about all of this. Putting 18th Street in like we did was a huge expense. This was part of the plan all along, is to make this a major route through there. It's not reconfiguring Leitchfield Road.

CHAIRMAN: Thank you.

MR. DYER: Do you have any other questions?

CHAIRMAN: At the present time I do not. I'm going to see if he can summarize in question form his other concerns.

MR. CONDON: Mr. Chairman, just as you
interrupted me I was about finished.

CHAIRMAN: I felt like we were at a point where we needed to summarize your comments into questions because I knew we were going to have to either go to the Staff and the applicant.

MR. CONDON: I just wanted the commission to be aware of this issue, which is a safety issue. The Horizon Place is a senior project, but it's designed for persons 55 years of age and older. It's senior by AARP, but it's not senior in terms of people's lifestyles today. So I think traffic there's going to be traffic there.

I'm just concerned that this development, of course, two weeks ago was the first notice we had. We don't have to get notice from the regs or the statutes. I'm not an adjoining or adjacent property owner so I don't get notice of this until I read it in the paper. So we came as fast as we could to those bodies to express a concern. If there was a way for them to redesign it and maintain the potential for that road being straightened, that would be a good solution. I just wanted to bring our concerns to the commission and make you aware of it.

CHAIRMAN: I appreciate you coming forward.

In all these incidents, you know, it's either reviewed
by the city or county. In their particular case, it
was reviewed by the city and the county engineer.
They had both.

MR. CONDON: Certainly. And I've spoken to
Joe Shepherd. He agreed with me at the city
commission that that intersection is absolutely not a
satisfactory intersection as it presently stands. I'm
trying to get a way to get that improved because
there's going to be a lot of traffic in there and the
road actually, as you know, it goes over to Estes
School. So there's going to be more traffic that will
exit out there. Anyone who exits there wants to go 54
will travel on Leitchfield Road.

CHAIRMAN: Before the plan gets to us, it is
reviewed by the city and the county engineer and both
of them sign off on that before we get the plan.

MR. CONDON: I understand that. Thank you.

CHAIRMAN: Are there any other questions by
anybody in the audience?

(NO RESPONSE)

CHAIRMAN: Anybody on the commission?

(NO RESPONSE)

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

MR. MILLER: Mr. Chairman, motion to approve.
CHAIRMAN: Motion for approval by Mr. Miller.

MR. APPLEBY: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

Related Items:

ITEM 7A

Owensboro Scholarhouse, 10.83 acres (Postponed at April 10, 2008 meeting)

Consider approval of amended major subdivision final plat.

Surety (Letter of Credit) posted: $32,404.75
Surety previously posted: $370,747.95

Applicant: Clayton Watkins Construction

MR. NOFFSINGER: Mr. Chairman, this application has been reviewed by the Planning Staff and Engineering Staff. It's found to be consistent with the adopted zoning ordinance and subdivision regulations and its use is found to be consistent with the adopted comprehensive plan and the zoning in which it is situated.

CHAIRMAN: Is anybody representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do we have any questions of the 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: The motion carries unanimously.
11 That would be our final item, Mr. Noffsinger?
12 MR. NOFFSINGER: Yes, sir.
13 CHAIRMAN: The chair is ready for one final
14 motion.
15 MS. DIXON: Move to adjourn.
16 CHAIRMAN: Motion for adjournment by Ms.
17 Dixon.
18 MR. HAYDEN: Second.
19 CHAIRMAN: Second by Mr. Hayden. All in favor
20 raise your right hand.
21 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)
22 CHAIRMAN: Motion carries unanimously. We
23 were adjourned.
24 -----------------------------------------------
25
STATE OF KENTUCKY )
   )SS: REPORTER'S CERTIFICATE
COUNTY OF DAVIESS )

I, LYNNETTE KOLLER FUCHS, Notary Public in and for the State of Kentucky at Large, do hereby certify that the foregoing Owensboro Metropolitan Planning Commission meeting was held at the time and place as stated in the caption to the foregoing proceedings; that each person commenting on issues under discussion were duly sworn before testifying; that the Board members present were as stated in the caption; that said proceedings were taken by me in stenotype and electronically recorded and was thereafter, by me, accurately and correctly transcribed into the foregoing 27 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the 27th day of May, 2008.

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

COMMISSION EXPIRES:  DECEMBER 19, 2010
COUNTY OF RESIDENCE:  DAVIESS COUNTY, KENTUCKY