

OWENSBORO METROPOLITAN PLANNING COMMISSION**JUNE 9, 2022**

The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, June 9, 2022, at City Hall, Commission Chambers, Owensboro, Kentucky; and the proceedings were as follows:

MEMBERS PRESENT: Lewis Jean, Chairman
Fred Reeves, Vice Chairman
Brian Howard, Director
Skyler Stewart, Secretary
Terra Knight, Attorney
Manuel Ball
Melissa Evans
Jason Gasser
Angela Hardaway
Irvin Rogers

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CHAIRMAN: The June 9th meeting of the Owensboro Metropolitan Planning Commission is called to order. We open our meetings with a prayer and a pledge. And tonight Commissioner Hardaway will lead us in the pledge and prayer.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: At our meetings, if anybody would like to speak, may. Just come to the podium and state your name and be sworn in by our counsel.

First item of business is to consider the minutes of the May 12th meeting. Did all the

1 commissioners get a copy of the minutes and have an
2 opportunity to read them?

3 (NO RESPONSE.)

4 CHAIRMAN: At this time, the Chair will accept a
5 motion.

6 MR. REEVES: Motion to approve.

7 MS. HARDAWAY: Second.

8 CHAIRMAN: Motion to approve by Commissioner
9 Reeves. Second by Commissioner Hardaway. Are there any
10 questions on the motion?

11 (NO RESPONSE.)

12 CHAIRMAN: If not, all in favor signify by
13 saying -- raising their right hand.

14 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

15 CHAIRMAN: All opposed, like sign.

16 Motion carried.

17 MR. HOWARD: Under general business, we have
18 rezoning. The rezoned map will become final 21 days after
19 the meeting unless an appeal is filed. If an appeal is
20 filed, we will forward the record of this meeting, along
21 with all applicable materials, to the appropriate
22 legislative body for them to take final action.

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24 GENERAL BUSINESS

25 ZONING CHANGES

1 ITEM 3

2 3037 Alvey Park Drive West, 0.637 acres

3 Consider zoning change:

4 From I-1 Light Industrial to B-5 Business/Industrial

5 Applicant: SCL Properties

6 MS. KNIGHT: Please state your name for the
7 record.

8 MS. EVANS: Melissa Evans.

9 (MELISSA EVANS SWORN BY THE ATTORNEY.)

10 PLANNING STAFF RECOMMENDATION

11 The Planning Staff recommends approval subject
12 to the findings of fact that follow:

13 FINDINGS OF FACT:

14 1. Staff recommends approval because the
15 proposal is in compliance with the community's adopted
16 Comprehensive Plan;

17 2. The subject property is located within a
18 Business/Industrial Plan Area, where business and
19 industrial uses are appropriate in general locations;

20 3. The subject property lies within an existing
21 area of mixed general business and light industrial uses;

22 4. The Comprehensive Plan provides for the
23 continuance of mixed use areas; and

24 5. The existing and proposed use of an office
25 conforms to the criteria for non-residential development.

MS. EVANS: We'd like to enter the Staff Report

1 into the record as Exhibit A.

2 CHAIRMAN: Thank you, Melissa.

3 Is there anybody in the audience representing
4 the applicant?

5 (NO RESPONSE.)

6 CHAIRMAN: Do any of the commissioners have any
7 questions?

8 (NO RESPONSE.)

9 CHAIRMAN: Hearing none, the Chair --

10 MR. HOWARD: Ask if anybody from the audience.

11 CHAIRMAN: Anyone from the audience have any
12 questions?

13 (NO RESPONSE.)

14 CHAIRMAN: Any commissioners have questions?

15 (NO RESPONSE.)

16 CHAIRMAN: At this time, the Chair will accept a
17 motion.

18 Commissioner Stewart?

19 MS. STEWART: I make a motion to approve
20 according to Planning Staff's recommendation and Findings
21 of Fact 1 through 5.

22 CHAIRMAN: We have a motion. Do we have a
23 second?

24 MR. BALL: Second.

25 CHAIRMAN: Second by Commissioner Ball. Any

1 questions on the motion?

2 (NO RESPONSE.)

3 CHAIRMAN: All in favor, signify by raising
4 their right hand.

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: All opposed, like sign.

7 (NO RESPONSE.)

8 CHAIRMAN: Motion carried.

9 ITEM 4

10 3101 Alvey Park Drive West, 0.637 acres
11 Consider zoning change:
12 From I-1 Light Industrial to B-5 Business/Industrial
13 Applicant: SCL Properties

13 PLANNING STAFF RECOMMENDATION

14 The planning staff recommends approval subject
15 to the Findings of Fact that follow:

16 FINDINGS OF FACT:

17 1. Staff recommends approval because the
18 proposal is in compliance with the community's adopted
19 Comprehensive Plan;

20 2. The subject property is located within a
21 Business/Industrial Plan Area, where business/industrial
22 uses are appropriate in general locations;

23 3. The subject property lies within an existing
24 area of mixed general business and light industrial uses;

25 4. The Comprehensive Plan provides for the

1 continuanace of mixed use areas; and

2 5. The existing and proposed use of a dog
3 boarding, daycare, and grooming facility conforms to the
4 criteria for non-residential development.

5 MS. EVANS: We'd like to enter the Staff Report
6 into the record as Exhibit B.

7 CHAIRMAN: Thank you, Melissa.

8 Anybody in the audience representing the
9 applicant?

10 (NO RESPONSE.)

11 CHAIRMAN: Anybody in the audience have any
12 questions?

13 (NO RESPONSE.)

14 CHAIRMAN: Do any commissioners have any
15 questions?

16 (NO RESPONSE.)

17 CHAIRMAN: Hearing none, the Chair will accept a
18 motion. Mr. Rogers?

19 MR. ROGERS: Mr. Chairman, I make a motion for
20 approval based on the Planning Staff's recommendation and
21 Findings of Facts 1 through 5.

22 CHAIRMAN: We have a motion. Do we have a
23 second? Commissioner Hardaway?

24 (SECOND BY COMMISSIONER HARDAWAY.)

25 CHAIRMAN: Any questions on the motion?

1 (NO RESPONSE.)

2 CHAIRMAN: All in favor, signify by raising
3 their right hand.

4 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

5 CHAIRMAN: All opposed, like sign.

6 (NO RESPONSE.)

7 CHAIRMAN: Motion carried.

8 ITEM 5

9 8825 Highway 2830, 1.37 acres
10 Consider zoning change:
11 From R-1A Single Family Residential to B-4 General
Business
12 Applicant: Susan Cox Development, LLC

13 The planning staff recommends approval subject
14 to the Condition and Findings of Fact that follow:

15 CONDITION:

16 1. Access to the subject property shall be
17 limited to Highway 2830. No access shall be permitted to
18 U.S. Highway 60 East.

19 FINDINGS OF FACT:

20 1. Staff recommends approval because the
21 proposal is in compliance with the community's adopted
22 Comprehensive Plan;

23 2. The subject property is located in a Rural
24 Community Plan Area, where General Business uses are
25 appropriate in limited locations;

3. The proposed use as retail sales conforms to

1 the criteria for non-residential development;

2 4. The proposal is a logical expansion of
3 existing B-4 General Business zoning to the north; and

4 5. At 1.38 acres, the proposal is not
5 considered a significant increase in general business
6 zoning in the vicinity and should not overburden the
7 capacity of roadways and other necessary urban services
8 that are available in the affected area.

9 MS. EVANS: We'd like to enter the Staff Report
10 into the record as Exhibit C.

11 CHAIRMAN: Thank you, Melissa.

12 Is there anybody in the audience representing
13 the applicant?

14 MR. KAMUF: Yes. Charles Kamuf.

15 MS. KNIGHT: Mr, Kamuf, you're sworn as an
16 attorney.

17 MR. KAMUF: I represent Susan Cox with Dollar
18 General. Also the applicant. We have Brandy Zackery with
19 Arnold Engineering here to answer any questions. I'll try
20 to answer any of them we can.

21 CHAIRMAN: Thank you, Mr. Kamuf.

22 Does anybody in the audience have any questions?

23 MS. KNIGHT: Sir, if you could state your name
24 for the record, please.

25 MR. DUNCAN: Ricky Duncan. I live at Maceo,

1 8853 Highway 2830.

2 (RICKY DUNCAN SWORN BY THE ATTORNEY.)

3 MR. DUNCAN: I live right next door to -- I
4 suppose they're going to put a Dollar General store, which
5 I didn't -- I don't -- I've never heard any -- that that's
6 specifically what it's going to be.

7 MR. KAMUF: That's correct.

8 MR. DUNCAN: And I just kind of was wondering,
9 you know. I just didn't know. I only got this letter to
10 investigate it on Monday, and so I haven't really had time
11 too much to do any research on it.

12 But anyway, back in 1987, there was a 0.23 acre
13 little square in the middle of that lot right there. In
14 1987, I rezoned -- I and my father rezoned that to B-4 for
15 a little car lot there.

16 Well, lo and behold, I've heard rumors that
17 there was going to be a Dollar Store there, which I didn't
18 know. I mean, I thought, no, they're not going to put no
19 Dollar Store there because, you know, a little place like
20 that zoned less than a quarter of an acre.

21 But I didn't know, in 2000, my uncle -- I lived
22 there -- my uncle's owned that 60 years, and the Wilhoyses
23 have owned the property next door for 60 years. And we've
24 been good neighbors. Never had a minute's problem out of
25 neither side. That's saying something pretty good for

1 your neighbor, when you live by your neighbor for 60 years
2 and don't have anything -- problems.

3 Getting to the subject, I didn't know that all
4 of my perimeter was zoned to B-4. Which, it was zoned
5 that way in 2000. And I went to the Planning Commission
6 on Monday. I said, "Well, are they going to rezone the
7 whole lot over there or what?" And Trey and Mr. Isom were
8 very kind and showed me that back in 2000 my uncle had
9 signed for them to rezone an acre and something there,
10 which was -- and I didn't know it. It was neither here
11 nor there. I would have still bought my home if I had
12 have known it.

13 But anyway, I didn't know all of that was taking
14 effect. But I have some concerns about it. One thing was
15 what it was going to be, for one thing. I didn't want to
16 -- I might have protested if I was going to live by a
17 liquor store. Because we own property down the road, and
18 we have billboards down there. When we got the
19 billboards, my mother said, "There won't be no alcohol or
20 cigarettes advertised on this billboard." So, you know, I
21 mean, people have concerns about their neighbor and where
22 they live and all this kind of thing.

23 But getting back to the concerns on this, I
24 think we're probably going to get a Dollar Store, the way
25 I understand. I hope it's good for our community. I hope

1 it enhances our community. I'm not against enhancing the
2 community, but I don't know what it's going to do.

3 We've lived private -- for 60 years, I've lived
4 privately there. You can look up and down the road and
5 see. But I don't know how this is going to affect our
6 property. For one thing, I don't know what -- you know,
7 it's going to be right on our driveway where we go in, for
8 one thing.

9 I don't know what -- I don't know how it's going
10 to affect it. I don't know how it's going to affect the
11 price of our property, which nobody does. It's neither
12 here nor there. You know, I don't know if it's going to
13 -- it could increase it or it could decrease it. We don't
14 know.

15 But nevertheless, this property is in the flood
16 zone. And I don't know if they've got an elevation
17 certificate on it to know how much they're going to have
18 to build up. All in behind this property and up close to
19 the front, I call it a waterway. When the backwater gets
20 up, the water flows that direction, from my place to that
21 direction. And I know all the property in most of the
22 other direction also.

23 I just bought some property there. There's a
24 fence on that property. And I really bought it so I could
25 take the fence down. Because every time the water comes

1 up, it'll -- debris, cornstalks, logs, and everything
2 float right up there. And it'll cover everything behind
3 it down the other direction.

4 And I have concerns that if they build,
5 something is going to have to be done there to -- I don't
6 think they let you build below flood level. And
7 something's going to have to be done there. And I just
8 didn't want stuff put in there that would back our debris
9 up in our yard. I'd have a problem there if stuff backed
10 up in the yard. It's a mess when it comes up. If you
11 don't live in the water zone -- I've lived there, like I
12 said, all my life. I know what it does. It creates a
13 mess. And so, you know, that's one of my concerns.

14 I don't know how far back in the woods that
15 they're going to -- what they're going to do there. Like
16 I said, all of this B-4 runs the perimeter of my property.
17 And I don't have a very big lot, 100 by 300. But that's
18 some of my concerns, my wife and I's concern.

19 This is my wife. We live there.

20 Did you have any other questions I need to ask
21 them?

22 MS. DUNCAN: Just the water. I mean, I --

23 MR. HOWARD: If you don't mind, would you go to
24 the mic?

25 MS. DUNCAN: Okay.

1 MR. DUNCAN: I don't know -- I mean, there's
2 going to be changes. We live -- the railroad tracks is
3 right across the creek. You know, a lot of people would
4 say, "That railroad would really bother me. I wouldn't
5 want to live there." But, you know, we adapt. I don't
6 even hear the train a lot of times. So I guess we're
7 going to adapt to this Dollar Store, it looks like. Maybe
8 I won't hear cars coming and doors slamming and people
9 coming and going. But, you know, that's some of the
10 things we have to adapt to for progress. And I'm not
11 against progress.

12 Like I said, I'm for my neighbor. One thing
13 that's made such good neighbors, I think, is I didn't try
14 to run his business and he didn't try to run mine. So,
15 you know, we just done what we wanted to do. But, you
16 know, we --

17 That's about all I have to say that I can think
18 of.

19 MS. KNIGHT: Ma'am, if you could please state
20 your name for the record, too.

21 MS. DUNCAN: Margie Duncan.

22 (MARGIE DUNCAN SWORN BY THE ATTORNEY.)

23 MS. DUNCAN: All I want to say is just the
24 backwater. It's really terrible. And if they put up a
25 wall, the water is -- it's this deep back there. And if

1 they put up a wall, it will back it up to my house, and
2 everybody down there. Because if it comes down -- I'll
3 tell you how bad it was. Last year -- was it last year?
4 Our neighbor has got a boat. And it ended up in our yard.
5 I mean, it floated. It was so big.

6 MR. DUNCAN: It was on a trailer, you know. The
7 water does --

8 MS. DUNCAN: Trailer and all. It come that way.
9 It's really, really strong. But if they put up a fence,
10 it'll make it to my house.

11 MR. DUNCAN: Because I was concerned about, like
12 I said, being in -- all of this area here is in the flood
13 zone, every bit of it. I was concerned about how they was
14 going to build it up and how it's going to be done there.
15 That was something --

16 MS. DUNCAN: I mean, you have to see it to
17 believe it. Because I'm not from Maceo. I'd move in a
18 heartbeat if it wasn't for him. I wouldn't stay there.

19 MR. DUNCAN: Maybe we'll get to move.

20 MS. DUNCAN: That's exactly right. I wouldn't
21 be there, not 15 minutes, because -- you just have to be
22 there. That's all I can say.

23 MR. DUNCAN: I'm not against my neighbor selling
24 his property.

25 MS. DUNCAN: No, I'm not either.

1 MR. DUNCAN: His property has been in his family
2 for years and years and years, and so was ours. And I'm
3 not against -- I'm not here to condemn or condone. I'm
4 just asking questions. And I have a good neighbor, hate
5 to lose him.

6 I suppose I'm done. I appreciate the
7 Commission listening and appreciate everybody. Neighbors
8 and friends, I thank you very much.

9 CHAIRMAN: Thank you, Mr. and Mrs. Duncan.

10 Mr. Kamuf, can you answer his concerns?

11 MR. KAMUF: I think we can answer all of those
12 questions.

13 First of all, if you look at the map, the area
14 in blue is the area where it got rezoned. The property
15 directly north of that evidently is the property that he
16 owns, and it's B-4. So the property that we're talking
17 about is already zoned to the north, B-4. This adjoins
18 it.

19 The property to the south is a lady by the name
20 of Ms. McKay. I've talked to her two or three times. She
21 had a couple of concerns. When I left the telephone
22 today, she said, "I'm fine with everything." She had some
23 question about a privacy fence that we said we'd put up.
24 She had some question about a tree that was on the line,
25 and we told her we would leave the tree for her.

1 But all of these questions that were asked can
2 be answered by Brandy Zackery with Arnold Engineering.
3 They do all of the engineering work for Susan Cox. She
4 has approximately 300 or 400 of these stores. We've had
5 three or four rezonings here in Daviess County, and
6 they're not going to do anything halfway. So she's here
7 to tell you the issues about the drainage.

8 CHAIRMAN: Thank you.

9 MS. KNIGHT: Ma'am, please state your name for
10 the record, please.

11 MS. ZACKERY: Brandy Zackery, 1136 South Park
12 Drive, Bowling Green, Kentucky.

13 (BRANDY ZACKERY SWORN BY THE ATTORNEY.)

14 MS. ZACKERY: First off, I'll say, we can't
15 quite keep up with Ms. Cox. We don't do all of her work.
16 We do a large portion of it, but some other people do as
17 well.

18 I will say, as far as the drainage goes, the
19 back portion of the property is in a flood plain, as he
20 stated. Everything that's -- our proposed layout keeps
21 everything up closer to the roadway. So, you guys that
22 live out there are familiar. There's an overhead line
23 that kind of comes through between the treeline and the
24 road. So, the store and the parking lot and everything is
25 in front of that powerline. So, a lot of the trees back

1 in there, we're not even getting back into that area to
2 disturb anything between like the four-lane highway in the
3 back.

4 So, the flood plain comes up to just a little --
5 not even halfway into where the proposed building will be.
6 So all of the front area is already up high enough that
7 it's out of the flood plain. The building, of course, we
8 will have to raise up so that we're above it. But in the
9 process of doing that, we have to obtain multiple flood
10 plain permits. We have to get one locally here through
11 the county. And then once they approve our stuff and give
12 us their approval, we have to send that off to the
13 Kentucky Division of Water for them to review and approve
14 it in order to actually get the flood plain permit to
15 where we could do any construction in that area at all.

16 And I do know one of the requirements here in
17 Daviess County, actually, based on -- because we did one
18 several years ago out at Philpot. Had a little bit of a
19 flood plain on it as well. And I know the requirements
20 here, you have to completely offset. So however much dirt
21 they have to put in the area where the building is going,
22 we have to also remove that much dirt so that the volume
23 that the flood plain will hold stays the same and is not
24 negatively impacted. And locally, the flood plain
25 coordinator won't give us our flood plain permit if we

1 don't do that, so.

2 MR. HOWARD: Could I ask just a real quick
3 question? The map that is on the screen is a screenshot
4 of our GIS and includes the flood boundary. That blue
5 hatch pattern -- of course, the lot in question is
6 outlined in the blue. The blue hatch pattern is,
7 according to our GIS consortium data, is the flood plain.
8 So it would appear to us that the entire parcel is in the
9 flood plain. Has there been an amendment or
10 something done to remove the --

11 MS. ZACKERY: Well, the survey that was in your
12 packet, so, on that survey, if you will notice, the hatch
13 area. So unless there's something I'm unaware of, the
14 current FEMA map establishes a base flood elevation in
15 that area as elevation 391.

16 So, when the FEMA maps have an established base
17 flood elevation, then when the surveyor surveys the
18 property and has a topographic survey with one-foot
19 contours, if the flood elevation is 391 or 390 or whatever
20 it says it is, they go right along that contour line. And
21 anything below that is below that base flood elevation.

22 So unless there's been a map amendment -- I
23 don't know of a map amendment. It looks like he's saying
24 the map was effective April 15, 2009, that they used for
25 the survey. So that was a current version of the FEMA

1 map.

2 MR. HOWARD: I believe what's in the GIS system,
3 which is reflected here, is based on this as well. So
4 that's interesting.

5 Regardless, you know, as you stated, they'll
6 have to have a flood permit and elevation and all that
7 stuff done, reviewed. County engineer will have to review
8 drainage --

9 MS. ZACKERY: Yes.

10 MR. HOWARD: -- and all that as part of the
11 development process. I just -- so it's been interesting
12 on the flood plain question.

13 MS. ZACKERY: Oh, yeah. And I was also just
14 going to say, too, the majority of the development is
15 actually on the property that's already zoned B-4. So,
16 like, basically the whole entire building is on the
17 property that's already zoned B-4, and then a large
18 majority of the parking lot. The entrance is actually on
19 the lot that we're rezoning, and just a side area of the
20 parking lot that runs along the side of the building. So
21 the majority of the proposed development is on a lot
22 that's already zoned for that use.

23 CHAIRMAN: Do you have anything else at this
24 time?

25 MS. ZACKERY: Not unless anybody has questions.

1 CHAIRMAN: Mr. Duncan?

2 MR. DUNCAN: Yes, sir. As I mentioned before,
3 I've lived there 70 years, within a mile there. I know
4 what the water does. The water has been five foot deep
5 under that powerline. I have buildings -- I don't know --
6 I can't see it from here, what building is next door
7 there. But the water got three foot deep in the building
8 behind my house.

9 And I know you have to stay so far back from the
10 road, and my house is so far back. And if they're going
11 to put all the Dollar Store over on that area, I don't
12 know -- you know, they're going to be right up against my
13 driveway. And my concern, again, is what kind of barriers
14 they're going to put up in this water situation. Because
15 I know it drops off. Mr. Trey and I looked at the map,
16 and he knows it drops off pretty swift back there.

17 In 1997, in '64, I seen -- I know where the
18 water gets there. I can show you. I can put a pin out
19 there where the water gets. If they put the store on the
20 whole lot that's next to my lot --

21 I mean, she -- I asked the surveyor when they
22 were doing a geological survey over there, I said, "Are
23 you all doing a flood elevation certificate on this
24 property?" They said, "No." I said, "I don't understand
25 why they're not doing that." I said, "This is all in the

1 flood plain." Which, it is in the flood plain. I've
2 lived there 70 years. I mean, I don't --

3 I'm not disputing nobody's word, but I've done a
4 little research. Like I said, I haven't done the research
5 I should have done since Monday.

6 But, you know, that's just some of my concerns.
7 They don't even understand it's in the flood plain. So,
8 you know, what are they going to do? I don't want to dig
9 a pond down there, you know, have a pond behind my house
10 here. If they're going to build up, I don't know how much
11 they're going to have to build up.

12 You know, there's a lot of ifs. I plan on
13 living there the rest of my life, you know. And like I
14 said, again, I'm not opposed to a Dollar General Store and
15 I'm not opposed to my neighbor selling it. Because if I
16 was the neighbor and I could sell it, I'd sell it, too,
17 probably. Because he don't need it. But I just hate to
18 disrupt my property for that reason. Like I said, I just
19 have legitimate, I think, concerns about this situation.

20 I don't know, if you go down in there, if it's
21 wetlands or what, you know, and how far down they're going
22 to go in the woods or what, you know. A lot of people say
23 one thing, and it's something else. I don't. I tell you
24 like it is if I know something.

25 Like I said, I didn't know all of that was zoned

1 B-4 all around my property. My uncle left that year I
2 bought the property. He died the next year. It was
3 neither here nor there that they rezoned that because I
4 would have still bought my house if I had known that it
5 was zoned B-4. Which I'm not -- I'm not -- have any
6 animosity to anybody for doing that because they did it
7 legally. And Trey and Mr. Isom were kind enough to pull
8 open records and show me where my uncle signed for that.
9 And I didn't realize that, but I appreciate them showing
10 me that and was kind enough to do that.

11 And that's all I can tell you.

12 CHAIRMAN: Thank you, Mr. Duncan.

13 Ms. Zackery, can you answer his concerns?

14 MS. ZACKERY: Yeah. I mean, I will say that,
15 based on our survey, the existing ground elevation
16 underneath that overhead powerline ranges from 384 to 385.
17 So with a base flood elevation of 391, I believe one
18 hundred percent that in a flood situation, water would be
19 standing five to six feet underneath that waterline
20 because the elevation of the ground beneath that powerline
21 is five to six feet below the base flood elevation of 391.
22 So that makes perfect sense that it does do that back
23 there.

24 But that also kind of is more in line with FEMA
25 says that's what the flood elevation is, and it sounds

1 like that is about what it's doing in that area, based on
2 the contours, so.

3 CHAIRMAN: He had a concern about a wall or
4 barrier.

5 MS. ZACKERY: The only thing we were going to
6 do -- and like he said, Ms. McKay had actually called and
7 asked because she wanted to know if there was going to be
8 a privacy fence or anything like that down the property
9 line between her and the store. And we had told her that,
10 yes, we can do that.

11 The landscape ordinance requires either -- you
12 know, you have different types of buffering that you have
13 to do. So you can either do -- I think it's -- and I'm
14 not a landscape architect. We have one of those at the
15 office. But I think if you do like a six-foot wooden
16 privacy fence, then it reduces the amount of trees. I
17 think it's like one tree every 40 feet or something like
18 that. So we were going to do the wooden privacy fence and
19 the one tree every 40 feet along her property line.

20 We were going to do it along the property line
21 on the north, too. But, I mean, if they would prefer to
22 just have trees instead of a wooden privacy fence, then we
23 could always do the -- you know, meet the landscape
24 requirement with just the trees on that side if that's
25 what they prefer.

1 MR. KAMUF: May I ask, the powerline is directly
2 north of his property. If we're talking about the area
3 that they're talking about, elevation 83 something, that's
4 on the north side of the property that's already zoned.

5 CHAIRMAN: Thank you, Mr. Kamuf.

6 Mr. Duncan, do you have something else?

7 MR. DUNCAN: I'm just a little bit confused, and
8 I don't hear very well either. Could I ask Ms. Ma'am a
9 question?

10 CHAIRMAN: Yes. Ask me the question, and I'll
11 try to answer.

12 MR. DUNCAN: Okay. Did I understand -- which
13 parcel was you going to build the Dollar Store on? Next
14 to me or next to where the house was?

15 MS. ZACKERY: The majority of -- I mean, we're
16 purchasing both parcels.

17 MR. DUNCAN: I understand that.

18 MS. ZACKERY: And it does slightly go over on
19 the one we're rezoning, which is why we're here requesting
20 a zone change. But the majority of the building and the
21 parking area is on the parcel there that's already labeled
22 as B-4.

23 MR. DUNCAN: (Speaking to Ms. Duncan.) You
24 misunderstood.

25 (Speaking to Ms. Zackery:) She was saying she

1 thinks that you were going to build most of it over where
2 the house area was, but it's on the other side?

3 MS. ZACKERY: Yeah, the majority of it is on the
4 parcel that already is zoned as B-4.

5 MR. DUNCAN: Mr. Kamuf keeps talking about this
6 powerline, you know. It runs all along, adjoining my
7 property from east to west, so naturally the powerline is
8 going to be there. But I've yet to see an elevation
9 certificate on any of it, a certified elevation
10 certificate.

11 And anytime I've had to build anything -- I've
12 been down here before. And, you know, I didn't agree with
13 everything, but nobody agrees with everything about
14 everything. We've got to have rules and regulations.
15 But, you know, I've never seen anybody approve anything
16 that's going to do anything without an elevation
17 certificate in the flood plain. I had to do all of that
18 first.

19 I don't know if they know what the elevation is
20 there and how much they're going to have to build up and
21 where they're going to get the dirt and, you know, this,
22 that, and the other. That's just a few of my concerns. I
23 appreciate it.

24 CHAIRMAN: Ms. Zackery?

25 MS. ZACKERY: Yeah. We have already done a

1 survey of the elevation, and you are correct. Before it's
2 final -- I don't know if the county requires it, but I
3 know Ms. Cox's insurance company requires it -- we will
4 have to do an elevation certificate. You are correct on
5 that. We have to do --

6 MR. DUNCAN: I don't know if you're going to
7 have to build it up a foot, two foot, three foot. You
8 know, all of that makes a big difference, especially in a
9 flood plain.

10 MS. ZACKERY: But --

11 MR. DUNCAN: Especially when I might have to look
12 up at the store. I've just got concerns, you know.
13 That's just concerns I have, and I hope it's legitimate
14 and I haven't wasted your time or the Commission's time or
15 my neighbors' and friends' time.

16 CHAIRMAN: Thank you, Mr. Duncan.

17 MR. DUNCAN: Thank you.

18 CHAIRMAN: Thank you, Ms. Zackery.

19 Anybody else have any questions or concerns?

20 UNIDENTIFIED SPEAKER: I might say one more
21 thing. The McKay lady hasn't lived there a year, so she
22 don't know much about this.

23 MS. DUNCAN: She don't know nothing --

24 UNIDENTIFIED SPEAKER: Excuse me? I haven't
25 lived there how long?

1 (CROSSTALK.)

2 MR. DUNCAN: Raley. McKay. It was the Raley
3 place. I know all of them by the old name.

4 MS. KNIGHT: Please state your name for the
5 record.

6 MS. FULKERSON: My name's Debbie Fulkerson.

7 (DEBBIE FULKERSON SWORN BY THE ATTORNEY.)

8 MS. FULKERSON: I live at 8865 Baker Drive.
9 It's across the highway there on the Green Meadow Road.
10 Okay?

11 I just want to say we're not opposed to it. I
12 don't know anything about the water behind Mr. Duncan's
13 house. I'll take his word. I do about Ms. McKay's house
14 and the trailer that's next to her. It's Becca McKay's
15 now. It was Randy Raley's trailer. You can see the water
16 that comes up behind their house because it's empty back
17 there. But everything behind Mr. Duncan's house is
18 blocked. But their water does not get nowhere near their
19 homes. I'm talking about Becca McKay's.

20 There is, behind Ms. McKay's house -- I've had
21 to step back over and see -- there is a building back
22 there. It's back there at the far, if I'm facing it, the
23 far left-hand corner. Now, that's as far as the water
24 comes up behind her house. I've never -- I've been out
25 there a total of 20 years, and that's as far as the water

1 comes up on her property. I've never seen it come up any
2 further than that.

3 But, you know, I don't -- I don't have any
4 concern because I don't get water over the railroad
5 tracks. I'm in a flood zone, but I've never had no water
6 over there, so I don't have to worry about that.

7 I would love to see Dollar Store there. That
8 would be awesome. Everybody on my street agrees with it.
9 These people in this row is Maceo.

10 But, you know, but I understand that they're
11 going to build it on the -- I thought there was a large
12 ditch that run back there. I have no idea. I've never
13 been back there. It's none of my business.

14 But I'm in favor of it. I don't have no
15 questions other than, you know, I just wanted to say that
16 I agree. Okay? I received the letter, so I'm here and
17 I'm in favor.

18 CHAIRMAN: Thank you, Ms. Fulkerson.

19 Has anybody else got any questions or concerns?

20 Mr. Kamuf?

21 MR. KAMUF: I think we've answered all -- we've
22 tried to answer. Any calls that come to my office, I take
23 care of them. And the only ones I got were Ms. McKay. I
24 talked to her three or four times. Any questions she had,
25 we resolved.

1 CHAIRMAN: Thank you.

2 Any commissioners got any questions?

3 Mr. Ball?

4 MR. BALL: So, sounds like there may be some
5 conflicting data as it relates to the flood plain.
6 However, I guess I know as a developer also, but they'll
7 still have to follow rules and regulations. And there's
8 more than one litigation like you had spoken of. So, in
9 theory, any work that's done, at least the intent of that
10 regulation is to not negatively impact any adjoining
11 property owners. Is that a correct statement?

12 MR. HOWARD: Yes, I mean, that's a correct
13 statement. A plan will have to be submitted that the
14 county engineer will review. And part of his task is to
15 make sure that, once development occurs, that the drainage
16 in the area is not worse than it was to begin with. So,
17 that happens all the time, whether that's through a
18 typical site plan or a development plan process. He'll
19 review that.

20 MR. BALL: If there's any discrepancies between
21 the existing site plan here and the FEMA data, that will
22 be discovered at that point in time, in theory?

23 MR. HOWARD: Right. Correct. And again, I
24 mean, I don't know what the difference is between what our
25 map shows and what their data shows. But if -- as Mr.

1 Duncan says, before any of that can happen, and as Ms.
2 Zackery said as well, they'll have to do an elevation
3 certificate. They'll have to get stream construction
4 permits to build. And they'll have to elevate, as you
5 mentioned, the retention basin or whatever will have to be
6 put in to accommodate for that. So all of that will be
7 done as part of the review during the site planning or
8 development planning process.

9 MR. BALL: Thank you.

10 CHAIRMAN: Thank you, Commissioner Ball.

11 Are there any other questions?

12 (NO RESPONSE.)

13 CHAIRMAN: Hearing none, at this time the Chair
14 will accept a motion.

15 MR. BALL: I'd like to make a motion.

16 CHAIRMAN: Mr. Ball?

17 MR. BALL: I make a motion to approve based on
18 the Planning Staff's recommendation, Condition 1, and
19 Findings of Fact 1 through 5.

20 CHAIRMAN: We have a motion. Do we have a
21 second? Commissioner Hardaway?

22 (SECOND BY MS. HARDAWAY.)

23 CHAIRMAN: Any questions on the motion?

24 (NO RESPONSE.)

25 CHAIRMAN: Hearing none, the Chair will call for

1 a vote. All in favor, signify by raising your right hand.

2 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

3 CHAIRMAN: All opposed, same sign.

4 (NO RESPONSE.)

5 CHAIRMAN: The motion carried.

6 MR. KAMUF: Thank you.

7 MAJOR SUBDIVISION PRELIMINARY PLATS

8 ITEM 6

9 Farmview, 53.033 acres
10 Consider approval of a major subdivision preliminary plat.
11 Applicant: Owensboro Developers, LLC

12 MR. HOWARD: This plat has been reviewed by the
13 Planning Staff and engineering staff. It's been found to
14 be in order. It's consistent with the underlying zoning
15 classification, and it is ready for your consideration for
16 approval.

17 CHAIRMAN: Anybody in the audience have any
18 questions?

19 MS. KNIGHT: Please state your name for the
20 record.

21 MR. EVANS: Keith Evans.

22 (EVANS SWORN BY THE ATTORNEY.)

23 MR. EVANS: My name's Keith Evans, and I reside
24 at -- my wife and I reside at 1311 Goetz Drive.

25 And I haven't seen a full scale of this.

1 We had a small one, but -- the major concerns I have is
2 the two entry and exit ways as I see. The plat may be
3 different. One on Coventry Lane and one directly in the
4 corner of Goetz Drive there right before you get to Burns
5 Elementary.

6 We've lived in that property for roughly 12
7 years. And this subdivision probably affects me and my
8 family more than anyone else because it basically borders
9 my property on two sides, so the west side and then I
10 guess the north side.

11 The major concern is -- and I'm certain that
12 they've done their traffic studies. But my major concern
13 is the traffic that will be emptied onto Goetz Drive,
14 which will be -- the corner entryway will be really,
15 really close to my driveway. Living there, with Watkins
16 Nursery across the street, with the school in very close
17 proximity to that entryway, massive amount of traffic
18 already on Goetz Drive. There are times when school is
19 letting out that we can't get in and out of our driveway
20 already. I guess I'm wondering why that has to be the
21 entryway. I understand the Coventry Lane entryway because
22 that was developed years ago by Mr. Wagner and was already
23 stubbed in. That one does not make much sense to me,
24 other than I know it'll be probably very beneficial for
25 the developer. Don't really have a problem with them

1 developing. I'm a businessman. I would do the same
2 thing. But I think we're going to cause a lot of traffic
3 concerns there.

4 In the last three years living there, we've had
5 two different instances on Goetz Drive, down by Southtown,
6 where that road's been torn up. And it's still not fixed.
7 It's still patched up and terrible. I'm wondering why
8 there's not -- as I see this, I think a lot of the houses
9 set across that creek, back toward OMU. Am I reading that
10 correctly? The backside of OMU? But there's no access in
11 or out back there. And it looks like it all flows
12 through those two ins and outs.

13 You know, I also have -- I also have concerns
14 about my property. There is a beautiful treeline all the
15 way down my property. Very mature. Offers me a lot of
16 privacy to my acreage there on the north side and the west
17 side. I would like for them to put on the record that
18 they're not going to take those down, leave those up. A
19 lot of them -- some of them are even grown into my fence.
20 My property is very old. It's been there -- the original
21 house was there in the '20s. I would like that not to be
22 disturbed. And just kind of get an explanation on, does
23 that entryway have to go in that corner? Are they going
24 to improve the roads, widen them? I mean, what's going to
25 happen there? I've got a lot of questions about that.

1 CHAIRMAN: Director Howard, can you answer his
2 questions?

3 MR. HOWARD: No. Mr. Weaver is here, engineer
4 for the applicant. It would be up to them, to the
5 applicant, as to whether or not they preserve the trees.
6 And Mr. Weaver, being an engineer, can address the
7 geometrics and road design and access issues.

8 MS. KNIGHT: Please state your name for the
9 record.

10 MR. WEAVER: David Weaver.

11 (DAVID WEAVER SWORN BY THE ATTORNEY.)

12 MR. WEAVER: You are correct. There's only two
13 access points in and out of the subdivision. The one on
14 Goetz, there has been a traffic incline study. Our firm
15 did not do that. We had a firm in Lexington take care of
16 that. That study has been reviewed by the city and county
17 engineer, as well as the state highway department. The
18 state highway department has been out to the site; looked
19 at the access point location; and agrees that that's a
20 safe, logical place to put an access point. There weren't
21 any recommendations for any improvements on Goetz Drive by
22 the highway department, that came out in the study, and
23 the highway department agreed with that.

24 As far as the ditches on the property line.
25 Not the ditches. I'm sorry. The treeline. Obviously the

1 developer will stay on their property but can't commit to
2 not removing trees along that line. We have to do some
3 further grading as well as some ditch work on our side of
4 the line to be able to drain. So, you know, obviously we
5 won't be cutting any trees on somebody else's line.

6 Does that take care of the question?

7 CHAIRMAN: Thank you, Mr. Weaver.

8 MR. WEAVER: Thank you.

9 CHAIRMAN: Does that answer your questions?

10 MR. EVANS: So how do we resolve the problem of
11 the trees that have grown into the fenceline? If they
12 take those down, it's certainly going to destroy my fence.
13 How do we rectify that?

14 CHAIRMAN: Mr. Weaver, can you answer that?

15 MR. WEAVER: Well, again, obviously the
16 developer will stay on their property. You know, I can't
17 really speak to the individual trees. But, you know, they
18 will try to leave as many trees as they can. Developers
19 typically don't want to take down trees that they don't
20 have to unnecessarily. You know, without --

21 Is it possible for -- do you have a copy, a hard
22 copy, of the plan? Does Planning have a hard copy of the
23 plan that I can look at?

24 MR. HOWARD: Do you want the --

25 MR. WEAVER: Full size would help.

1 So, unfortunately, we're not showing the
2 treeline on this particular plan, so I'm not sure to what
3 extent the treeline comes over across the property line
4 versus on Mr. Evans' property.

5 You know, there is a century sewerline in that
6 area where basically we're cutting -- there's a drainage
7 ditch that goes along, it would be lot seven and eight on
8 our side, along the west side, that we have to cut in.
9 But we have moved that to the west as best we can.

10 MR. EVANS: Mr. Weaver, can I look at that with
11 you?

12 MR. WEAVER: Yeah.

13 MR. EVANS: Thank you.

14 MR. WEAVER: So what we've got, we've got a pipe
15 that comes out here and then it picks up here, so there's
16 a ditchline that runs through here. This basically just
17 shows the lot layout. It doesn't show the detailed plan.
18 But, you know, we'll stake all of this. And they'll
19 clearly stay on their property, you know. So I'm not
20 sure -- I'm not sure where that existing fence is up
21 against where the property line is right at this minute.

22 MR. EVANS: One other concern -- can I -- can I
23 direct my questions directly to him?

24 CHAIRMAN: Direct the question to the Chair.

25 MR. EVANS: Okay. I don't know if you can see

1 the map we're looking at; but this lot number one, it
2 comes pretty far up, close to the, I guess, setback of the
3 road there.

4 MR. WEAVER: Uh-huh.

5 MR. EVANS: Any chance they would consider not
6 putting that lot there and leaving that a green area?

7 MR. WEAVER: Wouldn't be up to me. I would
8 assume that the developer is going to -- you know, with
9 the construction costs being what they are, I would assume
10 that the developer would want to get all the developable
11 lots. It's clearly a developable lot there. Just can't
12 afford to lose developable lots. But the owners'
13 representative is here, so they can speak to that.

14 Do you want to answer that question, Nick?

15 MS. KNIGHT: Please state your name for the
16 record.

17 MR. HUSK: Nick Husk.

18 (NICK SWORN BY THE ATTORNEY.)

19 MR. WEAVER: So, whether or not to develop lot
20 one.

21 MR. HUSK: Lot one is a front lot and on the
22 corner of that cul-de-sac. I don't feel like you would
23 just not develop it, but (inaudible).

24 MS. KNIGHT: Gentlemen, could you --

25 CHAIRMAN: Could you speak to the mic?

1 MR. HUSK: Sorry.

2 MS. KNIGHT: Our court reporter is trying to
3 pick it up.

4 MR. HUSK: So, going down this fence row, where
5 he's talking about the trees, we'd be more than willing to
6 work with him as best we could, as long as it's not going
7 to hinder us from developing the lot. So if it came over
8 to where we couldn't develop the lot, then we'd be able to
9 -- but as far as the trees go, we don't want to take the
10 trees out.

11 CHAIRMAN: Does that answer your questions, Mr.
12 Evans?

13 MR. EVANS: Yes, a little bit.

14 One other question I had: Do you guys intend to
15 do the development of the houses yourself, or will you
16 allow other developers to build as well?

17 MR. HUSK: So, we are intending to build all the
18 houses ourselves, for the most part, at this point. Later
19 on in the subdivision we might open up and allow other
20 developers in. But most likely it's going to be us
21 developing.

22 CHAIRMAN: Thank you.

23 MR. EVANS: And I guess I can contact you at a
24 later time, but could I contact you about the possibility
25 of purchasing this lot number one for myself?

1 MR. HUSK: Yes, sir. Yes.

2 MR. EVANS: And then, the only other question I
3 had is, when you guys were doing your site planning, I
4 know that this was a couple of bridges going over this --
5 this -- I guess this is a flood-limit retention-type lake
6 here. Was there any consideration to some entrance and
7 exit on the backside of this -- I know this joins into
8 some other areas -- and why that didn't happen?

9 MR. WEAVER: Are you talking about access
10 points, drivable access points?

11 MR. EVANS: I'm talking about, yes, entrances
12 and exits out of the subdivision on this side.

13 MR. WEAVER: Yeah, there's just zero possibility
14 for that. We've got the Wendell Ford Expressway on the
15 north side. On the west side, you've got OMU and then
16 you've got a developed -- everything on the west side is
17 residential development as you go on around.

18 There is a stub coming up from Farmview on the
19 south, but the developer doesn't own the ground to connect
20 from Farmview to where -- we've named the street Farmview
21 where somebody else may connect that in the future, which
22 is lands owned by Robert Rowan.

23 So the only access points that we can physically
24 obtain are the two that we have.

25 CHAIRMAN: Thank you, Mr. Weaver.

1 Mr. Evans, do you have any more questions?

2 MR. EVANS: I do. I just have a couple of
3 statements.

4 Thank you guys very much. I appreciate it.

5 I know that they've had their traffic stage
6 done, but I can assure you that if we don't have any road
7 developments in that corner, that's going to cause a
8 massive amount of traffic disruption on Goetz Drive. I've
9 lived there long enough to see it. I've been there long
10 enough to see it.

11 We have not done a great job of keeping that
12 road up in the past anyway. Like, we've had two separate
13 instances in the last three years where we've been shut
14 down at Southtown Boulevard for a half a year or better.

15 I personally just want to be on the record
16 saying that I think it's foolish to put an access into a
17 major subdivision right in that corner of one of our
18 biggest schools, and I want to be on the record saying
19 that. Thank you.

20 CHAIRMAN: Thank you, Mr. Evans.

21 Anybody else have any questions or comments?

22 (NO RESPONSE.)

23 CHAIRMAN: Any commissioners have any questions
24 or comments?

25 MR. GASSER: I do.

1 CHAIRMAN: Mr. Gasser?

2 MR. GASSER: The traffic survey that was
3 conducted, what time of the year was it? Was it during
4 school?

5 MR. HOWARD: Yeah. Anytime a traffic impact
6 study is done, they're required to collect data during
7 normal, typical transportation days or whatever, so. Mr.
8 Weaver could probably address it better than me. But, you
9 know, they don't do Monday counts or Friday counts. And
10 they do it during the school year. And they collect data
11 during times where you would experience normal traffic.

12 MR. GASSER: Okay. I understand. I'm just
13 looking at the concerns here right in the corner of Goetz
14 Drive with Burns Elementary and then the traffic of the
15 proposed neighborhood.

16 MR. WEAVER: I'm sorry to interrupt you. Can I
17 clarify a little bit more on what Brian was saying? It
18 may help you out.

19 MR. GASSER: Yes, sir.

20 MR. WEAVER: So, traffic counts are actually
21 done at peak hours, usually peak a.m. and peak p.m. hours.
22 Typically that would be more the drive commute. Because
23 we are in the school vicinity, we did work with the
24 highway department on what hours they wanted to count. We
25 shifted those hours to make sure that we were catching the

1 school traffic. And I can't quote you the hour range, but
2 it's a two-hour range in the morning and a two-hour range
3 in the afternoon. But we caught those --

4 MR. GASSER: That was my concern, --

5 MR. WEAVER: Yeah.

6 MR. GASSER: -- to make sure they're doing it
7 right during school coming in and school letting out.

8 MR. WEAVER: Yeah, that was what -- yeah.

9 MR. HOWARD: Thank you.

10 CHAIRMAN: Mr. Evans?

11 MR. EVANS: One more question on the traffic
12 study. Was there any consideration, when you did your
13 traffic study, as to the bounce-back off of COVID year
14 when there was still a lot of NTI going on with students
15 and it wasn't a full effect that we normally see?

16 CHAIRMAN: Mr. Weaver, can you answer that?

17 MR. WEAVER: I can only give you my opinion
18 because I don't know what the attendance was at the
19 schools during that time frame. But, you know, the
20 schools were fully opened; so, you know, I don't think it
21 was like 2020 by any means.

22 CHAIRMAN: Thank you.

23 Any other questions by the commissioners?

24 (NO RESPONSE.)

25 CHAIRMAN: Hearing none, the Chair will accept a

1 motion. Commissioner Stewart?

2 MS. STEWART: Thank you, Mr. Chair. I make a
3 motion to approve.

4 CHAIRMAN: We have a motion to approve. Do we
5 have a second?

6 (SECOND BY COMMISSIONER REEVES.)

7 CHAIRMAN: Commissioner Reeves.

8 Any questions on the motion?

9 (NO RESPONSE.)

10 CHAIRMAN: All in favor, signify by raising your
11 right hand.

12 (ALL BOARD MEMBERS EXCEPT COMMISSIONER HARDAWAY
13 RESPONDED AYE.)

14 CHAIRMAN: All opposed, like sign.

15 (COMMISSIONER HARDAWAY RESPONDED NO.)

16 CHAIRMAN: We have one opposed. The motion
17 carried.

18 MINOR SUBDIVISION PLATS

19 ITEM 7

20 2545 Highway 140 East, 2.287 acres
21 Consider approval of a minor subdivision plat.
22 Applicant: David Sands

23 MR. HOWARD: This plat comes before you as an
24 exception to the road frontage improvement requirement.
25 And you can see, this is a very long, flat lot that goes
back to an existing parcel -- or, to create a parcel

1 around an existing home. There are notations on the plat
2 about no further subdivision without meeting the
3 requirements. So with that, we would recommend that you
4 consider it for approval since it is around an existing
5 structure.

6 CHAIRMAN: Is there anybody here representing
7 the applicant?

8 (NO RESPONSE.)

9 CHAIRMAN: Any questions or comments from the
10 audience?

11 (NO RESPONSE.)

12 CHAIRMAN: Any questions from the commissioners?

13 (NO RESPONSE.)

14 CHAIRMAN: Hearing none, the Chair calls for a
15 motion.

16 MR. BALL: Motion to approve.

17 CHAIRMAN: Commissioner Ball. Got a motion. Do
18 we have a second?

19 MS. STEWART: Second.

20 CHAIRMAN: Commissioner Stewart.

21 MS. STEWART: Thank you.

22 CHAIRMAN: Is there any questions on the motion?

23 (NO RESPONSE.)

24 CHAIRMAN: All in favor, signify by raising your
25 right hand.

1 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

2 CHAIRMAN: All opposed, like sign.

3 (NO RESPONSE.)

4 CHAIRMAN: Motion carried.

5 The next item is to consider approval of April
6 2022 financial statement. Did everybody have the
7 opportunity to look at that?

8 (NO RESPONSE.)

9 CHAIRMAN: Any commissioners got any questions?

10 (NO RESPONSE.)

11 CHAIRMAN: Hearing none, the Chair will accept a
12 motion.

13 MR. ROGERS: Motion to approve.

14 CHAIRMAN: Motion to approve by Commissioner
15 Rogers. Second?

16 (SECOND BY COMMISSIONER REEVES.)

17 CHAIRMAN: Second by Commissioner Reeves. Any
18 questions on the motion?

19 (NO RESPONSE.)

20 CHAIRMAN: All in favor, signify by raising your
21 right hand.

22 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

23 CHAIRMAN: All opposed, like sign.

24 (NO RESPONSE.)

25 CHAIRMAN: The motion carried.

1 The next item is to consider the 2023 OMPC
2 budget and salary chart. Did all the commissioners have
3 an opportunity to look at those?

4 (NO RESPONSE.)

5 CHAIRMAN: Are there any questions?

6 (NO RESPONSE.)

7 CHAIRMAN: Hearing none, the Chair will call for
8 a motion. Commissioner Reeves?

9 MR. REEVES: Motion to approve.

10 MR. BALL: Second.

11 CHAIRMAN: Second by Commissioner Ball. Any
12 questions on the motion?

13 (NO RESPONSE.)

14 CHAIRMAN: Hearing none, the Chair will call
15 for -- those in favor, signify by raising your right hand.

16 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

17 CHAIRMAN: All opposed, like sign.

18 (NO RESPONSE.)

19 CHAIRMAN: The motion carried.

20 The next item is comments by the Chair. The
21 Chair has no comments.

22 Comments by the planning commissioners?

23 Comments by the director?

24 MR. HOWARD: I'm good.

25 CHAIRMAN: At this time, I'll call for a motion

1 to adjourn.

2 MR. BALL: Motion to adjourn.

3 CHAIRMAN: Motion by Commissioner Ball.

4 (SECOND BY COMMISSIONER HARDAWAY.)

5 CHAIRMAN: Second by Commissioner Hardaway. All
6 in favor, raise your right hand.

7 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

8 CHAIRMAN: All opposed, like sign.

9 (NO RESPONSE.)

10 (The meeting adjourned at 6:29 p.m.)

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1 STATE OF KENTUCKY)
) SS. REPORTER'S CERTIFICATE
2 COUNTY OF DAVIESS)
3

4 I, Rhonda Simpson, Notary Public in and for the
5 State of Kentucky-at-Large, do hereby certify that the
6 foregoing Owensboro Metropolitan Planning Commission
7 meeting was held at the time and place as stated in the
8 caption to the proceedings; that each person commenting on
9 issues under discussion were duly sworn before testifying;
10 that the board members present were as stated in the
11 caption; that said proceedings were taken by me in
12 stenotype and electronically recorded and was thereafter,
13 by me, accurately and correctly transcribed into the
14 foregoing 47 typewritten pages; and that no signature was
15 requested to the transcript.

16 WITNESS my hand and notary seal on this the 14th
17 day of June 2022.
18

19 _____
20 RHONDA SIMPSON, NOTARY PUBLIC
21 STATE-AT-LARGE
22 OHIO VALLEY REPORTING SERVICE
23 2200 E. PARRISH AVENUE, SUITE 205C
24 OWENSBORO, KENTUCKY 42303
25

COMMISSION EXPIRES:
AUGUST 14, 2023
COUNTY OF RESIDENCE:
DAVIESS COUNTY, KENTUCKY