

Henderson City-County
Planning Commission
June 1, 2021

The Henderson City-County Planning Commission held a meeting June 1, 2021 at 6:00 p.m., at the Peabody Building, 1990 Barret Ct, Suite F, *via teleconference*. Members present via teleconference: Chairman David Dixon, Vice-Chairman David Williams, Bobbie Jarrett, Dickie Johnson, Gray Hodge, Gary Gibson, Mac Arnold, Stacy Denton, Kevin Herron and Kevin Richard and Tommy Joe Fridy. Doug Bell was absent. Staff present: Director Brian Bishop, Jennifer Marks and Theresa Curtis and Chris Raymer. Heather Lauderdale was absent.

MEETING BEGAN AT 6:00 PM

Chairman Dixon: I would like to call this Tuesday, June 1, 2021 regular meeting of the Henderson City-County Planning Commission to order, and read the following message;

“Due to the emergency resulting from the Coronavirus (COVID19), and to help protect the community from the spread of COVID19 by limiting in person contact, this regular June 1, 2021 meeting of the Henderson City-County Planning Commission is being held by video teleconference.

This video teleconference meeting is being telecast live on Facebook at www.facebook.com/HendersonPlanning/live/ page and elsewhere for the media and the public to view. During the public hearing segments of the meeting, the public may offer evidence, comments, positions, suggestions and questions in accordance with the meeting rules.

Ms. Curtis is standing in as secretary, will you please call the roll?

Theresa Curtis: Yes sir.

We have a quorum.

Chairman Dixon: Very good, thank you. Thanks to everyone joining us; our members, we have a lot of guests via ZOOM. We appreciate your help.

I'll entertain a motion to enter public hearing.

MOTION WAS MADE BY MAC ARNOLD, SECONDED BY GARY GIBSON TO GO INTO PUBLIC HEARING.

Chairman Dixon: Any discussion? All in favor say aye.

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: We're in public hearing.

The first item is the updated text amendments to Article X, Signs and Outdoor Advertising Displays of the Code of Ordinances of the City of Henderson, Kentucky.

Theresa Curtis: Excuse me David.

Chairman Dixon: I'm sorry.

Theresa Curtis: Can you do the minutes, please?

Chairman Dixon: Oh, yes, we've got minutes! The next step is to approve the **minutes from the May 4, 2021 meeting.**

Do we have a motion to approve?

MOTION WAS MADE BY X.R. ROYSTER, SECONDED BY GRAY HODGE TO APPROVE THE MINUTES FROM THE MAY 4, 2021 MEETING.

Chairman Dixon: All in favor say aye.

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: The minutes are approved.

Now we will move to a public hearing on the updated **Article X, Signs and Outdoor Advertising Displays of the Code of Ordinances of the City of Henderson, Kentucky.**

I believe Mr. Nix is going to introduce this. I'll need your name, sir.

Ray Nix: Ray Nix.

Chairman Dixon: Address?

Ray Nix: 2319 Sunset Lane, Henderson, Kentucky.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth this evening?

Ray Nix: Yes, I do.

Chairman Dixon: Very good, thank you. Please proceed.

Ray Nix: The City of Henderson brings to you, the Planning Commission, for your review and approval of some updated text amendments to Signs and Outdoor Advertising Displays in our Code of Ordinances.

Specifically, Section 10.03 Definitions and Interpretations.

Basically in summary, we are changing the term Shopping Center Sign to read Consolidated Commercial Sign, and that is a sign constructed for shared use by a Commercial Center being three (3) or more tenants.

Whether the tenants are located on common property or on individual lots noted on a recorded plat or Land Use Restriction for each, individual lot. A consolidated Commercial Center sign complying with the specific requirements of this section shall not be considered an off-premise sign.

Basically, what we're saying is more and more conventional shopping centers are converting to a lighter range of commercial mixed use. Specifically what this will do is aid in minimizing the clutter of too many free-standing signs by consolidating them into one (1), larger commercial center sign.

For example, there may be a corner lot that have five, separate lots and they could, conceivably consolidate all five of those lots into one commercial center sign. Businesses will still be allowed to have their wall-mounted signs as they are currently committed.

In essence, the change that we are proposing to make and basically just trying to clean up the clutter of having too many free-standing signs up and down Highway Commercial and General Business streets and roadways.

Chairman Dixon: Very good, thank you.

Any members of the Commission have any questions for Mr. Nix or comments on this proposed amendments?

David Williams: Ray, have you ran this by commercial interests and are they in favor of this.

Ray Nix: As a matter of fact, this was generated from a commercial interest that has a proposed parcel of ground they were looking at subdividing into some smaller, commercial lots. They're all kind of in one, large area so to speak so this would work perfectly for this particular use.

An example of what we're looking at here is similar to what is currently used at the Hoffman Plaza, which is the Lowe's and Wal-Mart shopping center. It's the large sign that is out front along Highway 60. It would also be similar to the shopping center sign that is at the Old Wal-Mart shopping center; Audubon Village.

So, it would be something similar to that. Again, it could be used in a shopping center-type set up or individually with a group of commercial lots consolidating together for one, particular sign.

Chairman Dixon: Very good. Any other questions for Mr. Nix from the commission?

Any member of the public who is joining us during this public hearing. Do they have any comments or questions?

I see no activity on Facebook. Are we being asked to recommend approval of this amendment or our vote to amend?

Ray Nix: To recommend approval for City Commission for their final approval.

Chairman Dixon: Any other comments or questions from any party?

I'll entertain a motion in regards to these amendments as described.

MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY KEVIN RICHARDS TO RECOMMEND APPROVAL OF ARTICLE X-SIGNS AND OUTDOOR ADVERTISING DISPLAYS OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON, KENTUCKY BY THE HENDERSON CITY COMMISSION.

We've got a motion and a second, any further discussion?

Madame Secretary, please call the roll.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, the motion passes. Thank you.

The next item in the public hearing is **J. Ellen Bingemer Estate Agricultural Division**, being presented by Ms. Marks.

Jennifer Marks: Yes, thank you David.

So, as he mentioned the J. Ellen Bingemer Estate Agricultural Division has been submitted by Kathy Duncan, Executor for the estate for the property located in Henderson County on J. Royster Road (PID#42-32.2 and 42-42). The applicant is requesting approval for five (5) tract lots containing approximately 125.533 acres for an agricultural division.

I will just remind you all that Agricultural Divisions do not have to meet our subdivision regulations, however we do require they come to the Planning Commission for your approval.

If anyone has questions? I do believe the applicant is on if you have any questions for her as well, we can entertain those.

Chairman Dixon: Any questions from the Commission to staff on this division? Would anyone on the Commission like to hear from the applicant?

Would the applicant like to address the Commission?

Any other party interested in commenting on this? All these lots will front on John Royster Road, is that correct?

Jennifer Marks: Yes.

Chairman Dixon: No other comments? No Facebook activity? No questions? I'll entertain a motion in regard to J. Ellen Bingemer Estate Agricultural Division as described.

MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY MAC ARNOLD TO APPROVE THE J. ELLEN BINGEMER ESTATE AGRICULTURAL DIVISION, SUBMITTED BY KATHY DUNCAN, EXECUTOR OF THE ESTATE FOR THE PROPERTY LOCATED IN HENDERSON COUNTY ON J. ROYSTER ROAD (PID# 42-32.2 AND 42-42).

Chairman Dixon: We have a motion and a second, any further discussion? Madame Secretary, please call the roll.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, the motion is approved.

Next on the agenda is the **Green River NWR Tract 10-D Agricultural Division**. Ms. Marks?

Jennifer Marks: Yes, thank you.

So again, the Green River NWR Tract 10-D Agricultural Division has been submitted by Stan Williams for the property located in Henderson County on Tscherner Road, (PID# 84-9), adjacent to 11839 Tscherner Road. The applicant is requesting approval of the Ag division which is located in a flood-hazard area.

Again, this was brought to you all for your approval as was stated. It's my understanding that this is then going to be deeded over for the National Wildlife Refuge so that is why we are doing this current division here.

Anybody have any questions? I do believe that the surveyor is also on if he would have any comments he would like to make as well.

Rick Tosh: This is Rick Tosh, I'm with Dummer Surveying and Engineering. We prepared the survey of the Williams property and I will be glad to answer any questions you might have.

Chairman Dixon: Yes, your name sir?

Rick Tosh: Rick Tosh.

Chairman Dixon: Address?

Rick Tosh: 112 Traylor Street, Princeton, Kentucky.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth this evening.

Rick Tosh: Yes sir.

Chairman Dixon: Thank you very much. Thanks for being here and helping us out.

Does anyone from the commission have questions for staff?

Any member of the commission have questions for Mr. Tosh?

Gray Hodge: Mr. Chairman, I have a quick question for staff.

On this survey and on the prior matter the aerial photographs that we're getting don't quite jive with the survey and I'm assuming the survey is what the actual document that we're looking, is that right?

Brian Bishop: Gray, I can help on that one. We had that conversation with Commission Dixon just a few minutes ago.

On the one before there was a parcel that was neglected to be shown.

Gray Hodge: Right.

Brian Bishop: So there was a parcel missing there.

I think the culprit here is if you look at the survey, north is oriented to the northeast roughly...probably a 45 degree angle, where our drawing north is oriented due north and the parcel layers are not highly accurate there because the parcels are not based on survey data. A lot of those older parcels were hand-drawn in and they are not the most accurate.

So, that's probably the main issue with that.

The more we get surveys in, the better GIS is going to get.

Gray Hodge: Ok.

Chairman Dixon: But this is the actual representation.

Brian Bishop: Correct.

To Commissioner Hodge's question, we will always default to the survey because that has been prepared by a licensed surveyor.

Chairman Dixon: Very good. Any other questions from the Commission or staff, or surveyor?

Any comments from other parties on the ZOOM meeting?

Again, no activity on Facebook.

Ok, I'll entertain a motion in regard to the Green River NWR Tract 10-D Agricultural Division.

MOTION WAS MADE BY KEVIN RICHARD, SECONDED BY DICKIE JOHNSON TO APPROVE GREEN RIVER NWR TRACT 10-D AGRICULTURAL DIVISION SUBMITTED BY STAN WILLIAMS FOR THE PROPERTY LOCATED IN HENDERSON COUNTY ON TSCHARNER ROAD (PID# 84-9), ADJACENT TO 11839 TSCHARNER ROAD. APPLICANT REQUESTED APPROVAL FOR AN AGRICULTURAL DIVISION IN A SPECIAL FLOOD-HAZARD AREA.

Chairman Dixon: We've got a motion and a second, any further discussion? Madame Secretary, please call the roll.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, thank you all. The motion passes.

That was the last item on tonight's agenda in public hearing so I will entertain a motion to leave public hearing.

MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY MAC ARNOLD TO GO OUT OF PUBLIC HEARING.

Chairman Dixon: Any discussion? All in favor say aye.

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: Very good, we are out of public hearing.

The first item in the non-public hearing section of the agenda is the **May Finance Report**. Ms. Curtis?

Theresa Curtis: Yes, we have one (1) month left to go and right now we are at 88% of budget and if you have any questions, I'm here to answer them.

Chairman Dixon: Any questions concerning the finance report from the Commission?

I'll entertain a motion to approve.

MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY DAVID WILLIAMS TO APPROVE THE MAY FINANCE REPORT AS PRESENTED.

Chairman Dixon: We have a motion and a second, any discussion? All in favor say aye.

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: Very good, the May Finance Report is approved.

Next item is the **Bond Report**, Ms. Marks?

Jennifer Marks: Yes, thank you.

The only bond that we have up for extension this month is the SKN Properties sign removal bond that we have for them, it is in cash escrow. The original amount was \$5,300 and after speaking with Codes, he had suggested that we extend it for one (1) year at that \$5,300.

I just need a motion to approve that one.

Chairman Dixon: Any questions or anything? I'll entertain a motion to approve the Bond Report.

MOTION WAS MADE BY MAC ARNOLD, SECONDED BY GARY GIBSON TO ACCEPT THE BOND REPORT.

Chairman Dixon: We have a motion and a second.

Jennifer Marks: That is the only bond that is up for extension, we have three (3) releases as well to do.

Chairman Dixon: Ok, do you want to share those for the record.

Jennifer Marks: Yes, I didn't know individually or how we go.

So, we've got three (3) that are also up for release. The first one is the Canoe Creek II, Section I. This is for their sidewalks that have been completed and approved by the City Engineer. The release total amount is \$1,370 and a letter of acceptance will be forwarded to Mayor's office if you all approve this one.

Cosby Corner; those sidewalks, sewer, water and erosion control totaling \$30,713 letter of credit is up for release. The sidewalks have been approved by the City Engineer and will be forwarded to the City for acceptance.

South Main Development; which is the one with Robert Cornbleet has erosion control currently on it totaling \$5,695. This one will also be released. Henderson Water Utility has signed off on that project.

Chairman Dixon: Ok, Commissioner Arnold, I think you made the original motion, would you like that motion to include these other items?

Mac Arnold: Yes, include all in the report as submitted.

Chairman Dixon: The second....

Gary Gibson: I'll go ahead and second that.

Chairman Dixon: Very good, we have a motion and a second. Any discussion? All in favor of approval say aye.

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: Very good, the Bond Report is approved.

Next item is **Lots 7A & 7B Kaylee Estates Subdivision & Consolidation & Preliminary**. Ms. Marks?

Jennifer Marks: Yes, thank you.

This subdivision and consolidation Preliminary plat has been submitted by Carol Barth and Dale Day for the property located in Henderson County at 8430 John Steele Road, PID# 51-30.9. The applicants are requesting preliminary approval to subdivide the current parcel into two (2) lots. You will see that shared on your screen there. (Referring to the GIS map projected on the screen)

This one isn't typical of our major (subdivisions), this is the seventh (7) division in this and as you will see Lot 7A and 7B so that is why it is a major (subdivision). It does have a fire hydrant, and has received all the approvals needed from the technical advisors.

Chairman Dixon: Very good. Does the Commission have any questions for staff on this item?

Kevin Richard: It looks like these are somewhat flag lots. What's the road frontage for the two (2) lots?

Brian Bishop: Kevin, they are fifty-feet (50') a piece if I'm not mistaken. So they will meet the requirement of the zoning ordinance and what we have suggested to the property owner is that they have one (1) entrance. So that way there is just one, shared entrance so you don't have multiple driveway's concurrently on the road.

Kevin Richard: Ok, thank you.

Chairman Dixon: Very good, any other questions?

David Williams: Is that binding or could we end up with a bunch of driveways coming off the road?

Brian Bishop: Commission Williams the Road Department would be the one who would enforce that. They will not permit, which ultimately they will not give the culvert to allow the entrances that way. So we will work in conjunction with the County Engineer and the Road Department there to make sure that gets done.

David Williams: Ok, thank you.

Brian Bishop: You're welcome.

Chairman Dixon: Any other questions?

Dickie Johnson: Mr. Chairman, and I'm not disputing Brian but I think we need to get an attorney's interpretation of that because if those two (2) lots are legal lots and they want to put in two (2) separate driveways then I don't see how we can keep them from doing that. Am I correct, T.J.?

Tommy Joe Fridy: I'm not prepared to answer that because there could be some approvals that I'm just not aware of or not thinking about. It's not something I've thought about in a lot of years. If you feel like you need to table it I will give you an answer next month or later but I would say it's about 75% that Dickie is right. But you also have to get approval, for instance if you had a sight line problem, the County could keep you from putting in a driveway.

Dickie Johnson: I understand that, these two (2) flag lots are basically identical, I'm just looking at the plat that's drawn up here. Unless the owner put some kind of restrictions in the deed that would forbid more than one driveway on these two (2) flag lots, it would be difficult for us to enforce it; in my opinion.

Brian Bishop: Dickie if I can jump in there with just a couple of things. One (1), the owner is agreeing to that encumbrance by signing the plat. Secondly, the Codes Department is also going to come into play here; they are not going to get building permits for these lots if they go outside of the agreed encumbrance that is on the plat.

Dickie Johnson: It's on the plat though?

Brian Bishop: Yes.

Dickie Johnson: Ok, then that's different. I misunderstood you, I'm sorry. If it's on the plat then ok, I'm sorry.

Brian Bishop: It's ok.

Chairman Dixon: Tommy Joe, do you want to add to that?

Tommy Joe Fridy: No, I didn't know it was on the plat also.

Chairman Dixon: Any other questions or comments in regard to this item? Very good, I'll entertain a motion in regard to Lots 7A & 7B of the Kaylee Estates Subdivision and Consolidation Preliminary.

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY MAC ARNOLD TO APPROVE LOTS 7A & 7B OF THE KAYLEE ESTATES SUBDIVISION AND CONSOLIDATION PRELIMINARY SUBMITTED BY CAROL BARTH AND DALE DAY FOR THE PROPERTY LOCATED IN HENDERSON COUNTY AT 8430 JOHN STEELE ROAD, PID# 51-30.9.

Chairman Dixon: We have a motion and a second, any further discussion? Madame Secretary, please call the roll.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, the motion passes. Thank you.

Item four (4) of the non-public hearing items is **New Lot 5, 6, 7, & 8 The Termo Company Subdivision and Consolidation Preliminary**, Mr. Bishop?

Brian Bishop: Yes sir. This is submitted by Neal Risley, Tri-State Rentals, LLC for the property located in Henderson County at 5700 Riverport Road, PID #39-1-16. The applicants are requesting site plan approval for four (4) lots.

Can everyone see the plat on the screen? (Referring to the project plat)

This is near the Riverport. The applicant is requesting for four (4) lots that are zoned Heavy Industrial. Heavy Industrial or Highway Commercial zoned lots automatically come to the Planning Commission because of the nature of the subdivision. So, that is why you're seeing this.

It kind of looks like a minor subdivision in a sense but with this size and this type of subdivision you have the final authority on this as if it were a major residential subdivision.

Assuming you approve this, the final plat would be recorded but the one thing you would want to remember with this subdivision is that if a site plan comes for, let's say Lot 6 or any of the lots for that matter, that site plan will come back to the Planning Commission for your approval as well. So, that way we would be looking at the buildings, lighting, parking and things of that nature.

We have received all the necessary endorsements from the technical advisors. An interesting note; Henderson Water Utility will be donating a fire hydrant in this area here so that way they can try to help facilitate industrial growth in the area.

With that, staff makes a recommendation to approve.

Chairman Dixon: I have one (1) question. Once again, the aerial view we are provided, can you show that?

Brian Bishop: I can, let me get to that. Theresa, is that under the I-Drive under packets?

Theresa Curtis: It sure is. It's under MapDocs under the I-Drive, in the 2021 Planning Commission folder.

Kevin Richard: Brian while you're fishing for that, a tag-a-long question for that once you get the aerial map, we didn't have a zoning map included with this and I'm assuming all the industrial sites you can see in the aerial are zoned Heavy Industrial?

Brian Bishop: Yes, it might be easier just to do this; let's try this.

Can everyone see the GIS map now?

Gray Hodge: No.

Mac Arnold: No.

Dickie Johnson: It's a little line, looks like you need to expand it.

Chairman Dixon: If the Commission has their packet and they look at the aerial and compare it to the, I guess the survey, once again...

Jennifer Marks: I see what happened here in regard to the aerial map, Termo does own that so technically Termo's current is this. It looks like we have not updated the GIS with Lot 5 that we had at the last Planning Commission meeting. It was kind of like that "z" shape where connected right at the corner; do you know what I'm talking about?

Brian Bishop: Right here, yes.

Jennifer Marks: So at that point we're doing another division of that.

Brian Bishop: Yes. Jennifer is exactly right there. So we had the plat from last time which we knew was going to be turned around and re-submitted this time which is why GIS was not updated so we could turn around and update it again. But that is what is going on there. Basically it's this general area.

Chairman Dixon: Yes, only a small portion of what's outlined on the aerial.

Brian Bishop: Correct.

Jennifer Marks: It shows approximately 52 acres will be remaining for Termo.

Chairman Dixon: Ok.

Brian Bishop: Clear as mud guys? And to Kevin's point real fast...

Kevin Richard: Yeah, if you could flash the zoning layer on that real quick.

Brian Bishop: Everything in blue is Heavy Industrial.

Kevin Richard: Ok.

Brian Bishop: This is the area that would be covered here.

Kevin Richard: I had assumed all that had already been zoned but like I said, I wanted to be sure.

Brian Bishop: Commissioner Richards we typically don't show zoning when it comes to subdivisions like that, that's probably what you're used to seeing with rezoning application.

Kevin Richard: That answers my question.

Chairman Dixon: I'm good as well.

Anybody else have questions for staff about this?

I'll entertain a motion in regard to New Lot 5, 6, 7 & 8 of the Termo Subdivision & Consolidation Preliminary.

MOTION WAS MADE BY MAC ARNOLD, SECONDED BY KEVIN RICHARD TO APPROVE NEW LOT 5, 6, 7, & 8 THE TERMO COMPANY SUBDIVISION AND CONSOLIDATION PRELIMINARY, SUBMITTED BY NEAL RISLEY, TRI-STATE

***RENTALS, LLC FOR THE PROPERTY LOCATED IN
HENDERSON COUNTY AT 5700 RIVERPORT ROAD, PID #39-1-
16.***

Chairman Dixon: We have a motion and a second, any discussion?

Madame Secretary, please call the roll.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, the motion passes.

Next is **Revised Lot 54 Shelby Addition Site Plan**, Mr. Bishop?

Brian Bishop: Yes sir.

This is submitted by Chris Dalton for the property located in the City of Henderson at 1631 South Green Street (PID# 46A-17), 1633 South Green Street (PID# 46A-18), and 1635 South Green Street (PID# 46A-19). The applicants are requesting site plan approval.

This one I can answer easily. The reason why the aerial map does not look like this is because there has been a consolidation plat submitted after the packets went out; that one is easy. We're ahead of the curve on this one.

With this one, Mr. Dalton has submitted a site plan application so he can construct a five-thousand square foot (5,000') building that will be used to house his office and business where he will rent construction equipment. We have received all the necessary endorsements from the technical advisors, staff recommends approval, and I believe Mr. Dalton is on the call with us if you have any questions for him.

Chairman Dixon: Does the Commission have any questions for staff? Would the Commission like to hear from the applicant? Would the applicant like to address the Commission?

No questions, no comments, no Facebook? I will entertain a motion concerning Revised Lot 54 Shelby's Addition Site Plan.

MOTION WAS MADE BY KEVIN RICHARD, SECONDED BY MAC ARNOLD TO APPROVE REVISED LOT 54 SHELBY'S ADDITION SITE PLAN SUBMITTED BY CHRIS DALTON FOR THE PROPERTY LOCATED IN THE CITY OF HENDERSON AT 1631 SOUTH GREEN STREET (PID# 46A-17), 1633 SOUTH GREEN STREET (PID# 46A-18), AND 1635 SOUTH GREEN STREET (PID# 46A-19).

Chairman Dixon: I have a motion and a second, any further discussion? Madame Secretary, please call the roll.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, the motion passes. Thank you.

The next item is the **AMCOR Henderson Facility Site Plan**, Mr. Bishop?

Brian Bishop: Yes sir. This is submitted by American Metal Chemical Corporations for the property located in Henderson County at 1010 Port Plaza (PID# 39-1-17). The applicants are requesting site plan approval.

We also have a guest with us to make a presentation on this.

Ashley, can you hear us?

Ashley Bartley: Yes, I can. Phil with AMCOR is also here and if you want to see some slides we have some or if you guys have any questions; either way.

Brian Bishop: Ashley if you don't mind, I think they have some questions about this, this is a little out of our norm as far as the process.

So, I am going to make you the host after I start the Power Point.

Chairman Dixon: I'm going to need to swear her in.

Brian Bishop: Correct.

Ashley Bartley: Phil will be making the presentation.

Chairman Dixon: I need your full name Ms. Bartley.

Ashley Bartley: Ashley Bartley with QK4, 1046 East Chestnut Street, Louisville, Kentucky, 40204.

Chairman Dixon: And do you promise to tell the truth and nothing but the truth?

Ashley Bartley: I do.

Chairman Dixon: Very good, thank you. And the other commenter?

Phil Negri: Hello, my name is Phil Negri.

Chairman Dixon: And your address?

Phil Negri: 3546 S. Morgan Street, Chicago, Illinois.

Chairman Dixon: And do you promise to tell the truth and nothing but the truth this evening?

Phil Negri: I do.

Chairman Dixon: Very good, thank you. Thank you both for being with us. You can proceed with your presentation if you wish.

Ashley Bartley: Alrighty.

Brian Bishop: Ashley, I'm going to make you host. Can you see the Power Point?

Ashley Bartley: Yes.

Kevin Richard: We can see it here.

Ashley Bartley: Am I able to...

Brian Bishop: You should have command. Let me see here, let's try that.

Chairman Dixon: Once she passes it back...

Brian Bishop: Ashley, please don't close down our meeting. The last person we gave control shut our meeting down in the middle of it.

I forgot to tell you that, I'm sorry.

Can you control or do you want to tell me when to go to the next slide?

Ashley Bartley: I think you can. I'm clicking arrows and nothing is happening so I can just tell you when to go.

Brian Bishop: Fire away.

Ashley Bartley: Thanks, Phil is going to start us off.

Phil Negri: Of course, thanks for your time today. My name is Phil Negri and I'm the President of AMCOR. Just a little about AMCOR to start, American Metal Chemical Corporation is a family owned, small privately owned business. We were established in the 60's as a supplier into the metals and die casting industry. Today we have our corporate offices based in Chicago and we have a total of four (4) production facilities. One of those being in Chicago, two (2) in the Cleveland area of Ohio and then one (1) on the Tennessee Rive in Florence, Alabama.

You can go ahead to the next slide, please.

(PLEASE SEE POWER POINT PRESENTATION AS AN ATTACHMENT TO THESE MINUTES FROM JUNE 1, 2021)

QUESTIONS POSED TO PHIL NEGRI AND ASHLEY BARTLEY THROUGHOUT PRESENTATION;

Chairman Dixon: Excuse me, what does the term *non-feed grade* mean?

Phil Negri: The food grade has to pass through several certifications in order to (inaudible). So it's really less about the chemical composition of the mineral and more about the equipment that is used to handle it.

So, for example, if you were to handle food-grade salt, when that product is mined then it needs to go through a purification process, it needs to be handled with stainless steel conveyors and stainless steel rail cars, you know all these things need to go through certain cleaning applications. Our products do not have that type of requirement so that type of specification just makes it a little bit simpler for our handling.

For our handling for example for our equipment, we can handle salt and potash with the same equipment and vice-versa without those type of specifications that come along with handling feed-grade commodities. Food grade means it's going to be consumed either by a human or animal.

Chairman Dixon: Ok, thank you.

(Presentation Ended)

Chairman Dixon: Thank you all. Do any Commissioners have further questions or comments on this project?

Kevin Richard: I notice the big retention pond on the top portion of the diagram, is the intention that all waste water will be channeled to that retention; I don't know how much residue you'll have of salt or potash but would the wastewater stream be channeled to that retention pond?

Ashley Bartley: That's right, I'm sorry, I forgot to...I kind of glossed over that.

So that is a detention, it looks like it already was basin, we're re-shaping it and making it a little larger based on the City's storm water requirements.

We're also requiring I believe it's a twenty-foot wide (20')...

Brian Bishop: Ashley, do you mind making me the host again and I'll share your drawing?

Ashley Bartley: Yes, let's see if I can figure out how to do it.

Brian Bishop: Can everybody see Ashley's drawing that shows the detention pond that Commissioner Richard referred to?

Ashley Bartley: Yes.

Basically this site will sheet flow, it's pretty flat out there but everything is going to be pitched towards the detention basin and in between the edge of the pavement which is kind of the grey area and you can see kind of the start of the detention basin where the topo, you know the contours get closer together. That's kind of a vegetative buffer so any runoff will filter out through that area and of course it's the intent of AMCOR to keep as much of the material within their bins as possible, they don't want to lose anything.

And there is already an existing pipe there that will be used to drain over to the other side and ultimately drain into the river.

Chairman Dixon: Any other questions from the Commissioners?

Kevin Richard: Is the mixing building itself a fully, enclosed building?

Ashley Bartley: As far as the bins?

Kevin Richard: I guess there will be some mixing on this site so where that mixing takes place I could foresee some dust; would that be an enclosed building? That just won't be like an overhang roof that it's done underneath or will it?

Phil Negri: There is open access to drive through with like a front end loader so there are passageways that are open. The mixing itself happens within a contained blender similar to like a fertilizer blending operation so they components are added through a hopper, the hopper then feeds an enclosed, rotary mixer.

Kevin Richard: So that operation is enclosed? It's not like a big bulk mixture that's open, that you just dump in the top or something?

Phil Negri: Right.

Kevin Richard: Ok, thank you.

Chairman Dixon: Very good, any other questions, comments from the Commission?

Is there anything else the applicants would like to share with us?

Phil Negri: I would like to thank the Commission and the staff, particularly the staff and Brian for all your time and support.

David Williams: I would like to...do you have a groundwater monitoring plan in place?

Phil Negri: I don't know that the topic has come up but Ashley do you know that answer?

Ashley Bartley: I don't think so. I don't think that is something you all typically have at your other facilities, is it Phil?

Phil Negri: No.

David Williams: Ok, have you talked to the Division of Water about your plans?

Ashley Bartley: We are in the process of submitting our NOI, so they'll be reviewing that.

David Williams: Ok, so they will suggest groundwater monitoring plan probably. Ok, alright, thank you.

Brian Bishop: Commissioner Williams, is that something you would like for us to have a copy of?

David Williams: Yes.

Ashley Bartley: We can do that for you when we submit and get approved.

Chairman Dixon: Thank you. Any other questions or comments from the Commission?

No other questions or comments? I'll entertain a motion in regard to AMCOR's Henderson Facilities Site Plan.

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY BOBBIE JARRETT TO APPROVE THE AMCOR HENDERSON FACILITY SITE PLAN SUBMITTED BY AMERICAN METAL CHEMICAL CORPORATION FOR THE PROPERTY LOCATED IN HENDERSON COUNTY AT 1010 PORT PLAZA (PID# 39-1-17).

Chairman Dixon: We have a motion and a second, any further discussion? Madame Secretary, please call the roll.

AYE: MAC ARNOLD, BOBBIE JARRETT, DAVID WILLIAMS, DICKIE JOHNSON, GARY GIBSON, KEVIN HERRON, STACY DENTON, X.R. ROYSTER, KEVIN RICHARD

NAY: NONE

GRAY HODGE: ABSTAIN

Chairman Dixon: Very good, the motion passes. Thank you all, and thanks to our visitors who joined us tonight.

That concludes the non-public hearing items. The next item is Administrative Business, Mr. Bishop?

Brian Bishop: Yes sir. So we can keep the Planning Commission up to date on what's going on, the contracts for our current auditors and attorney will expire at the end of June, I believe. So, we have sought RFP's for those services. The deadline for those RFP's will be this coming Friday at the end of business.

Once we have those, we will meet with the Executive Committee and make a recommendation to the full Planning Commission. We will most likely have to have a special called meeting for that so we can have those services ready to go at July 1.

At this point we have received no submittals but we will keep you updated.

Chairman Dixon: Ok, so we expect to have a special meeting to approve this?

Brian Bishop: Correct.

Chairman Dixon: Ok, other business, Mr. Bishop?

Brian Bishop: Yes sir. We have been given a unique task that we've never had to do before. In the likelihood of Highway 41 North being greatly altered by the future I-69, we have been asked by the City and the County to perform a study and make recommendations on with the future of 41 North and its businesses will look like.

So, what the City has requested is that we use our excess revenue to pay TSW Design Group, who you may remember from the Vision Plan and the Downtown Master Plan to assist us with that project.

We have talked to the folks at the City and the County and there is a proposed committee that will take place and make full recommendations to the full Planning Commission.

Chairman Dixon, do you want to jump in there or do you want me to elaborate more?

Chairman Dixon: Ok, so the way this is being set up is the committee would have fifteen (15) members, not counting the Planning Commission staff and other technical advisors. There is a consulting firm that will be doing the study and reporting to the committee.

The committee will be composed of six (6) appointees from the City Commission, six (6) appointees from Fiscal Court and three (3) Planning Commission appointees.

David Williams has graciously volunteered to serve as one of our three representatives. I will need to have two more gracious volunteers in hand and ready to approve at the July 6 meeting of the Planning Commission.

We've been asked to do this and this has been a topic that we have discussed, you know the future of 41 North in light of I-69, of others in our community are very concerned about what might transpire out there. This is an opportunity to kind of get ahead of the game and use some forethought and expertise to try to guide the future.

With that in mind, anybody who would like to volunteer for this committee can reach out to me; call me, email me, whatever your preferred method is. Like I say, I need two more volunteers. I think it will be a very interesting topic needless to say, and very important work for the community.

So, that's what's going on there and I hope to hear from somebody, ok. That's that. Is everybody good on that? Any questions?

The next item and the final item on the agenda is discussing the return to in-person Planning Commission meetings in our usual location on the third floor of City Hall.

Mr. Bishop, do you have any thoughts on this?

Brian Bishop: Well, I will give a little information as we were talking about earlier. I think we have a few options for folks and their comfort level.

One, we would have more traditional meetings where people could be in-person, in the room. The City Commission is currently meeting there, we can do our best to spread folks out. The people that are little more

uncomfortable would still have the option to wear masks, we can still do ZOOM, we still have that available.

For example, if someone were out of town or they were not comfortable meeting in person, we can still use that option and then we can still solicit comments via Facebook.

So, we have a few ways for people to interact but it think to Chairman Dixon's point, the main crux of it is available at the third floor of the City Building. But, we also still have ways to make people feel more comfortable participating.

Chairman Dixon: Basically we're proposing going back to our old way of doing business in addition to the new ways we've learned using ZOOM and Facebook. Any thoughts from any Commissioners, or staff or anyone else?

Dickie Johnson: Mr. Chairman, this is Dickie Johnson. I've been a true advocate of making sure that all of the Planning Commissioners are represented if we decide to go back to in-person. At our last County Board of Zoning Adjustment meeting, we went live and we didn't have any problems at all. The applicants, most of them came in wearing masks and all of our board members were spread out and we didn't have any problem.

I've looked at some news releases from like the Louisville area, WLKY and I talked to one of the directors under the Governor today in regard to what was going to happen in the near future with the mask mandates being lifted and unless something drastically changes in state government, come the 11th of June there won't be a mask mandate. They are still going to be suggesting individuals that have not had their shots at least show the general public some consideration and wear a mask but I would be totally in favor of going in person at our next July meeting. I want to give the other Planning Commissioners an

opportunity to talk but if and when it comes available I would be more than glad to make a motion to do that.

Chairman Dixon: Anyone else have any thoughts on this?

Kevin Richard: I was going to say that if the City Commission has figured out how to...if they've re-configured that room a little bit for social distancing, I say basically the model or whatever they've done, if we still feel social distancing is required at that point. I would be in favor of the live meetings as well.

Chairman Dixon: Does anyone else have a comment or thought?

Gary Gibson: This is Gary Gibson, we are in the process of opening all the churches and stuff back up then we need to be in the process of opening our government back up. If a person wants to wear a mask they can, it would be up to them. I do believe we need to go back live.

Chairman Dixon: Does anyone else have a thought?

Ok, I will entertain a motion in this regard. I would like the motion to include both returning to live meetings and keeping ZOOM and Facebook ability there for those who choose to do that whether it's a Commission member, staff member or member of the public that wants to comment on the public hearing and would rather do so by those means. In any case, I'll entertain a motion to in person meetings.

Gray Hodge: I would like to ask a question before we get on with the motion. Is there going to be a protocol for the live meetings? In other words, will members of the public who come before the Commission be required to wear a mask? Will they be asked to wear a mask, is there any intention to ask Commissioners or public members who are attending who are not vaccinated wear a mask? What is the protocol? Is it just going be wide open, come as you are?

Dickie Johnson: All I can do is speak on behalf of myself and the director that I talked to under the Governor and the way I understand it,

is that effective June 11, the State will not have a mask mandate. They're asking people that haven't been vaccinated to take into consideration the general public and wear masks but it's not required.

So, I mean if the government opens it up to where it's no mask mandates, then I don't see how we can do anything but follow what their recommending.

Brian Bishop: I think a lot of this, to Mr. Hodge's point is, we will need to discuss with the City because it's still their building. If they want to require masks, I think that is something we would consider and that is a conversation that Jennifer and I can have with Mr. Newman.

Ray, have you guys discussed that?

Ray Nix: No, I think the final is going to come down on June 11. We'll get the final protocol of how we're going to officially address attendees to public meetings and such. Mr. Newman will be providing us with that at that particular time.

Brian Bishop: On the 11th?

Ray Nix: Yes.

Kevin Richard: Just me talking out loud, based on past history in that room, the presenter podium was pretty much social distanced already, the audience chairs? Are they going to reduce the number of chairs to kind of enforce social distancing whether they have masks or not. I would just want to model what the City Commission has already kind of determined to be appropriate for that room layout.

Chairman Dixon: Am I hearing that on June 11 the City Commission or the City leadership will reconsider how they run their meetings?

Ray Nix: The Governor makes his announcement and it's my understanding the City Manager Newman will provide his guidance of that going forward.

Brian Bishop: Would you anticipate within the next day or two, or that day?

Ray Nix: I would say on the day or shortly thereafter. I will also say that our Code Enforcement Board and our Board of Zoning Adjustment have been meeting there live in the last month.

Brian Bishop: To Commissioner Richard's point, if I remember correctly when I was in there last, the audience chairs are socially distanced and then if someone were not there for a particular topic, they could still wait out in the lobby area which would be spaced out as well. So, I think we have some room there. I think our biggest issue will be because we have more member than the City Commission we would need to add extension tables possibly and then spread you guys out that and then we would also have a table off to ourselves, back a little different than where we were before.

Chairman Dixon: How about this idea? We've got to have a special meeting anyway to hire an attorney and auditor, right?

Brian Bishop: Correct.

Chairman Dixon: If that meeting took place after June 11, could we not also make this decision at that time?

Brian Bishop: Seems reasonable.

Kevin Richard: I was going to make a similar recommendation to that since we already said we had to have a special called meeting.

Chairman Dixon: So we'll have a special called meeting via ZOOM and handle these in-house matters; auditor, attorney and protocols for the next meeting. I had hoped to come to a decision on this tonight guys, there's just a lot of moving parts so perhaps we should wait for direction from the City Manager and Administration on how they're going run their building.

Dickie Johnson: That would be great.

Chairman Dixon: Would that be reasonable with everybody?

Dickie Johnson: It is for me.

Brian Bishop: Would it be possible for us to go ahead and schedule our special called meeting and then that way we can go ahead and have everything knocked....we'll know what we're doing by then.

Is there a certain date and time that is better for everyone? Three (3) weeks from today would be the 22, is that enough time?

Chairman Dixon: The Executive Committee has to meet first.

Brian Bishop: Correct. So we'll have our deadline of the 4th...

Jennifer Marks: Then we'll have two (2) weeks before that to review.

Brian Bishop: So that would give the Executive Committee two (2) weeks from the 7th through 18th to meet, and then possibly a full Planning Commission meeting the 22nd.

Chairman Dixon: That would also give the City Manager plenty of time after the 11th to come up with a...

Brian Bishop: Absolutely.

Chairman Dixon: Does the 22nd look good to everybody?

Kevin Richard: I'm fine with that.

Chairman Dixon: Does anyone have a problem with a special called meeting on Tuesday, the 22nd?

Dickie Johnson: My day is open.

Brian Bishop: 6pm for everybody?

Kevin Richard: That works best, yes.

Chairman Dixon: Tommy Joe, do we need to vote on setting up this called meeting date?

Tommy Joe Fridy: You can continue this meeting until then and it will not be a special meeting but it will be a continued regular meeting.

Chairman Dixon: I see no...

Tommy Joe Fridy: Otherwise, the Chairman can call a special meeting. You've announced when it's going to be but it's your prerogative to call a meeting.

Chairman Dixon: Ok, I'm going to entertain a motion to continue this meeting on Tuesday, June 22 at 6 pm.

MOTION WAS MADE BY X.R. ROYSTER, SECONDED BY KEVIN RICHARD TO CONTINUE THIS MEETING ON TUESDAY, JUNE 22 AT 6PM.

Chairman Dixon: We have a motion and a second. All those in favor signify by saying aye.

AYE: ALL

NAY: NONE

Tommy Joe Fridy: So you will not adjourn this meeting at the end.

Chairman Dixon: Ok. We have set a date for the continuation of this meeting on Tuesday, June 22 at 6p.m. Does anyone have any other business?

MOTION WAS MADE BY KEVIN RICHARD, SECONDED BY GRAY HODGE TO TAKE A RECESS THAT EXTENDS UNTIL JUNE 22 AT 6P.M.

Chairman Dixon: We have a motion and a second. All those in favor signify by saying aye.

AYE: MAC ARNOLD, BOBBIE JARRETT, DAVID WILLIAMS, DICKIE JOHNSON, GARY GIBSON, KEVIN HERRON, DAVID WILLIAMS, X.R. ROYSTER, KEVIN RICHARD, GRAY HODGE

NAY: STACY DENTON

Chairman Dixon: Very good.

MEETING RECESSED AT 7:12 PM

Brian Bishop: Congratulations Commissioner Richard that is our longest recess ever!

Chairman Dixon: Yes, we stand in recess. I want to thank you all for all your work tonight and all your help. It seems like we covered a lot of ground. Thanks guys, goodnight.

Henderson City-County
Planning Commission
June 22, 2021

The Henderson City-County Planning Commission held a continued meeting June 22, 2021 at 6:00 p.m., at the Peabody Building, 1990 Barret Ct, Suite F, *via teleconference*. Members present via teleconference: Chairman David Dixon, Bobbie Jarrett, Dickie Johnson, Gray Hodge, Gary Gibson, Mac Arnold, Stacy Denton, Kevin Richard and Tommy Joe Fridy. Doug Bell, David Williams, X.R. Royster, and Kevin Herron were absent. Staff present: Director Brian Bishop, Jennifer Marks and Theresa Curtis, Heather Lauderdale and Chris Raymer.

CONTINUED MEETING BEGAN AT 6:00 PM

Chairman Dixon: I would like to call this June 22, 2021 session of the Henderson City-County Planning Commission to order. I'll read the following brief statement;

“Due to the emergency resulting from the Coronavirus (COVID19), and to help protect the community from the spread of COVID19 by

limiting in person contact, this continuation meeting from the June 1, 2021 being held today, Tuesday, June 22, 2021 meeting of the Henderson City-County Planning Commission is being held by video teleconference.

This video teleconference meeting is being telecast live on Facebook at www.facebook.com/HendersonPlanning/live/ page and elsewhere for the media and the public to view. During the public hearing segments of the meeting, the public may offer evidence, comments, positions, suggestions and questions in accordance with the meeting rules.

Chairman Dixon: Madame Secretary, could you please call the roll?

The next item is a motion to come out of recess, I believe we are in recess from the last meeting.

MOTION WAS MADE BY MAC ARNOLD, SECONDED BY GRAY HODGE TO COME OF RECESS FROM THE JUNE 1, 2021 MEETING.

Chairman Dixon: We have a motion and a second. All those in favor signify by saying aye.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, the motion passes.

The first item on the agenda is under Administrative Business; recommendations having to do with our accounting services and legal services. Mr. Bishop?

Brian Bishop: Yes sir. We received two (2) RFP's, one for auditor and one for legal services. Submittals were by our current service providers which would be Alexander, Thompson, Arnold and Mr. T.J. Fridy respectively.

There would be no cost change in our current services. Staff recommends approval of hiring Tommy Joe Fridy as our attorney, and Alexander, Thompson, Arnold as our auditor.

If the Commission would like any more details, please let me know. I have the RFP's in front of us and I can answer any questions you may have.

Kevin Richard: So, Brian I guess just to confirm, nobody else expressed an interest or other people no-quoted or...

Brian Bishop: No one else expressed interest. We received the two (2) RFP's and that is all.

Chairman Dixon: I can say the Executive Committee met and voted to recommend that we accept both of these proposals. Any other questions for staff about any details?

Gray Hodge: Scope of services are the same as they were prior?

Brian Bishop: That is correct.

Gray Hodge: Is that satisfactory to staff?

Brian Bishop: It is.

Gray Hodge: Ok.

Brian Bishop: Commissioner Hodge, I apologize for not responding to your text, I was running around a little bit.

Gray Hodge: Yeah, I got it, no problem.

Chairman Dixon: Any other questions for staff or anyone on these issues?

I think we will do this separately. If there are no other questions, I'll entertain a motion in regard to our auditing services.

MOTION WAS MADE BY GRAY HODGE, SECONDED BY DICKIE JOHNSON TO ACCEPT THE PROPOSAL FROM ALEXANDER,

THOMPSON AND ARNOLD AS THE HENDERSON CITY-COUNTY PLANNING COMMISSION AUDITING FIRM.

Chairman Dixon: We've got a motion and a second, Madame Secretary please call the roll.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, the motion passes. Thank you very much. Any discussion on the legal services contract, any questions for staff?

If there is no further discussion, I will entertain a motion in regard to our future, legal counsel.

MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY MAC ARNOLD TO ACCEPT THE RFP PROPOSAL FROM TOMMY JOE FRIDY, ATTORNEY TO REPRESENT THE HENDERSON CITY-COUNTY PLANNING COMMISSION AS PRESENTED.

Chairman Dixon: We've got a motion and a second, any further discussion? Madame Secretary, please call the roll.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, the motion passes.

I feel fortunate to continue to have the service of the Honorable Mr. Fridy and I appreciate his interest in continuing to serve. Thank you very much, T.J.

Tommy Joe Fridy: Thank you.

Chairman Dixon: The next item, we need to discuss the possibility of starting in-person meetings again at City Hall.

My understanding of communications that I've seen from the City Manager is the City father's and leadership have lifted all restrictions in terms of mask wearing and such.

That opens up that possibility for us, I think Mr. Bishop has investigated how we might set the room up and proceed there.

Would you like to share that with us?

Brian Bishop: Yes sir.

From a technical standpoint we would still be able to broadcast to Facebook which is a benefit to the Planning Commission as a whole because before we would only broadcast on the City's channel on local cable so this opens up our audience quite a bit. So, that's a good thing.

From a ZOOM standpoint, we would still allow Planning Commission members to ZOOM in; that's a phrase that I had never said before until COVID. So, applicants or Planning Commission members would still be able to attend via ZOOM or in person if they choose to do so.

The room will accommodate the full Planning Commission. I was able to look at it today when I was a City Staff meeting. We would be able to have staff; Jennifer and I would be able to be there easily in our traditional spot. Planning Commission members would sit at the bench. We would probably need to extend the tables on the right side a little further down to give you enough space and we would have a limited amount of space in the room to accommodate any social distancing requirements but we would be able to have a Planning Commission meeting there.

In addition to the ZOOM options.

Chairman Dixon: And of course, anyone who would feel more comfortable wearing a mask if more than welcome to do so. I would like to think that we could any steps necessary to make sure the Planning Commission members and staff feel safe in that setting.

Any discussion, questions?

Dickie Johnson: I'm ready to do it! But you know, it does make it easier to have a quorum when we have conflicts with ZOOM. There have been a few times since I have been on the board that we didn't have a quorum and it makes it very awkward and embarrassing to applicants when we can't get our Planning Commission members to attend, and this is a way we can do it, leally.

Chairman Dixon: I would agree and I think it's maybe something that we've learned during this strange time and we can keep using to our benefit and to the benefit of the public.

Dickie Johnson: Yes.

Chairman Dixon: Any other questions or comments?

Kevin Richard: Brian so as far as the room set up, anybody that is on the ZOOM call would basically be displayed on the large monitors?

Brian Bishop: Correct. They would be displayed on the large monitor for the Planning Commissioners to see and similar to how we would be positioned in the past, and then the audience would be able to see the people on ZOOM from the large T.V. that faces the rear of the room.

It's been a while since we've been in there but if you'll remember there was a large, flat screened T.V. that faced the audience that will still be there as well.

Chairman Dixon: And members of the public, for whatever reason, chose not to attend in person could still participate via Facebook?

Brian Bishop: Absolutely. Facebook or ZOOM.

Chairman Dixon: Tommy Joe, do you see any hitches in this or potential problems?

Tommy Joe Fridy: I do not for the time being. Moving forward, we will have to follow up if the state changes their rules.

Chairman Dixon: Yes of course, good point. Things could change folks, things could change.

Tommy Joe Fridy: And of course, applicants could also appear by ZOOM currently. Again, that might change in the future but for now they can.

Chairman Dixon: Yes.

Any other discussion or questions? Concerns? If there aren't any, I'll entertain a motion in regard to where we hold our July meeting.

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY GARY GIBSON TO HOLD THE HENDERSON CITY-COUNTY PLANNING COMMISSION MEETINGS LIVE, IN THE HENDERSON CITY BUILDING.

Chairman Dixon: We have a motion and second, any discussion? Madame Secretary, please call the roll.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, the motion passes. I'm looking forward to seeing you all face to face.

Other business; do you have any other business Mr. Bishop?

Brian Bishop: Just a little personal note; I know Commissioner Dixon knows about this but the past weekend we had the Handy Festival and I was lucky enough to have a roll in that. So, I just want to thank the Planning Commission for allowing me to do that because I think it is extremely beneficial to the community. Things went extremely well, the committee was very happy with the way things went as a whole. So, I just want to say thanks for allowing me to have the flexibility to do that.

Chairman Dixon: I think we as a Commission can be proud that our Executive Director could participate in such a leadership fashion and in a very successful fashion.

I do have one other item in other business. I need one more volunteer to serve on the 41 North Revitalization Committee. Commissioner Hodge and Commissioner Williams have graciously volunteered to lend their expertise and I need one more person.

Dickie Johnson: Mr. Chairman, I'll volunteer. Do you know when we're going to meet?

Chairman Dixon: I do not think those dates have been set. Mr. Bishop can provide you with all the information he has about it.

Brian Bishop: I can give you guys an update on that as well. Do you guys remember the format that we had discussed, if not it might be better for me to give you a quick update.

Chairman Dixon will appoint the committee. Three (3) of which we know from the Planning Commission. The City will get six (6) appointees and the County will get six (6) appointees.

As recently as a few hours ago, presented their request to the City Commission that we use our excess funds to pay for the assistance we will receive from TSW. I will make a presentation to the Fiscal Court as well. So, it appears that all systems are go and once we have those committee members. Commissioners Johnson, Hodge, and Williams, I will give you the meeting dates as soon as possible.

Dickie Johnson: Ok.

Chairman Dixon: You do have a scope of work, a description of what's going to be done and that kind of stuff.

Brian Bishop: I do, now that we have a committee from the Planning Commission standpoint, I will send you that information so you can start checking it out.

Chairman Dixon: Yeah, it's kind of an overview of what the consultant is planning to do and the steps and stuff like that. It would be useful as a starting point.

I'm prepared to make these appointments official right now. Is all I need to do is announce it, T.J.?

(No response from Tommy Joe Fridy)

Well, I'm announcing it. I appoint Commissioner Gray Hodge, Commissioner Dickie Johnson, and Commissioner David Williams to the 41 North Revitalization Committee, the steering committee for that project and I very much appreciate everybody's willingness to serve. It should be a very interesting endeavor.

Brian Bishop: T.J., if I'm not mistaken, David has the authority to appoint the citizen members as well, is that correct?

Tommy Joe Fridy: Yes. That's my understanding.

Brian Bishop: So to that, once we have the twelve (12) names from the City and County, we will provide those to you and those official appointments can be made as well.

Chairman Dixon: Oh, I'm supposed to appoint the City's nominees and the County's nominees?

Brian Bishop: You can. T.J., I think that's how we've done it in the past, is that correct?

Tommy Joe Fridy: I think so but I also think the City and County need to make an official appointment, it could be by letter or even email but we need something to put in our files that they are recommending these individuals or they are appointing them however they choose to word it.

Chairman Dixon: Very good and I'd be happy to do what I need to do to continue it. We've got our representatives appointed and I think they will make a great contribution so, we're looking forward to that.

Does anybody else have any other business for the good of the cause?

Tommy Joe Fridy: I have another thought. Brian when you get a bid or proposal or whatever you get from TSW, it would be good to have the Planning Commission make a motion and pass it that we used the excess funds with the approval of the City and County.

Brian Bishop: I will have that for you at our next meeting. We're already halfway there.

Tommy Joe Fridy: Ok.

Chairman Dixon: Excellent, thank you T.J.

Any other business? Anyone? Brian, you have nothing else?

Brian Bishop: No sir.

Chairman Dixon: I'll entertain a motion to adjourn.

MOTION WAS MADE BY GRAY HODGE, SECONDED BY KEVIN RICHARD TO ADJOURN.

Chairman Dixon: Any discussion? All in favor?

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: Very good, thank you all and we will all be together in July.

MEETING ADJOURNED AT 6:18 PM

I, HEATHER LAUDERDALE, hereby certify that the foregoing is a true and accurate transcription of the Henderson City-County Planning Commission Meeting of, June 1, 2021 and the continued meeting held on June 22, 2021 to the best of my ability.

Heather Lauderdale, HCCPC Clerk

X
