

Henderson City-County  
Planning Commission  
June 6, 2017

The Henderson City-County Planning Commission held their regular meeting June 6, 2017 at 6:00 p.m., at the Henderson Municipal Center, 222 First Street, 3rd floor assembly room. Members present: Chairman Herb McKee, Vice-Chair David Williams, Mac Arnold, Gary Gibson, Kevin Richard, Dickie Johnson, Rodney Thomas, David Dixon, Gray Hodge, and Attorney Tommy Joe Fridy. Kevin Herron, and Doug Bell were absent.

Staff present: Director Brian Bishop, Assistant Director Claudia Wayne, Theresa Curtis, Heather Lauderdale and Chris Raymer.

*(The following minutes were transcribed from an audio tape recording of the meeting on June 6, 2017. The audio tape recording is on file at the Planning Commission office and will be retained for 30 days after the minutes are approved)*

**MEETING BEGAN AT 6:00PM**

Chairman McKee: Let's call this June meeting of the Henderson City-County Planning Commission to order; Madame Clerk would you please call the roll?

Mr. Bell isn't here yet. We have a quorum.

In the past when we've had training, continuing education, the Planning Commission needs to formally approve it to make it effective for our hourly requirements for training in order to keep our seats. So in order to facilitate that, we will need a motion, and a second, and a vote to

**approve Mr. Valentine's presentation as continuing education and training for the Planning Commission.** The Chair will entertain a motion.

***MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY KEVIN RICHARD TO APPROVE THE PRESENTATION BY GARY VALENTINE WITH KYTC AS CONTINUING EDUCATION AND TRAINING FOR THE PLANNING COMMISSION.***

Chairman McKee: We have a motion and a second, any discussion? All in favor signify by saying aye. Are there any opposed?

***ALL IN FAVOR: AYE***

***OPPOSED: NONE***

Chairman McKee: So mote it be. Next on the agenda, the **minutes of the May 2, 2017 meeting** if you've had an opportunity to review those. Are there any additions or corrections?

***MOTION WAS MADE BY KEVIN RICHARD, SECONDED BY GARY GIBSON TO APPROVE THE MAY 2, 2017 MINUTES AS DISTRIBUTED.***

Chairman McKee: We have a motion and a second, any discussion? All in favor signify by saying aye. Are there any opposed?

***ALL IN FAVOR: AYE***

***OPPOSED: NONE***

Chairman McKee: The minutes are approved.

Next on the agenda **is #1071 Recommend a Zoning Classification to the City in Conjunction with Annexation,** Mr. Bishop are you going to lead that conversation....yes sir?

Tommy Joe Fridy: Did we make a motion to open the Public Hearing? I'm not saying we didn't...

Chairman McKee: We did not, we did not.

Tommy Joe Fridy: It's ok, the minutes don't have to be in the public hearing, we will do it before we...

Chairman McKee: We need to have a motion to **open the public hearing**, I'm sorry.

***MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY RODNEY THOMAS TO GO INTO PUBLIC HEARING.***

Chairman McKee: We have a motion and a second, any discussion? All in favor signify by saying aye. Are there any opposed?

***ALL IN FAVOR: AYE***

***OPPOSED: NONE***

Chairman McKee: We are now in public hearing. Do we need to approve the minutes again?

Tommy Joe Fridy: No, no. They do not, we normally do but they do not, it's not required that they be approved in a public hearing.

Chairman McKee: Thank you. Mr. Bishop, you may proceed.

Brian Bishop: Yes sir, thank you.

The City of Henderson has requested annexation for properties that they own near the end of Borax Drive, which is in between Borax Drive and Ohio Drive; containing 235.28 acres. There are actually four (4) parcels that we are going to look at so we have broken them down into two (2) sections because there are going to be two (2) different zoning recommendations.

Section A is 71.756 acres, and is shown in green on the map. This is the area that we call the Nature Conservancy, this has been purchased by the City and County. It has been known as the home place for the Tennessee Leafcup which is always a hot topic of discussion.

It is also where the mouth of Canoe Creek discharges to the Ohio River; you'll notice here. We are recommending a zoning classification of Agricultural. We think this will help better protect this land from being encroached on from industrial development. It is currently zoned County M-2, we think if it's zoned Agricultural it's less likely to try to be consolidated into one (1) of the adjacent parcels. So for Section A we are making a recommendation for City Agricultural.

Section B contains three (3) parcels. Those parcels are 46-64, 46-65, and 46-58.8, which are the parcels in blue. Those are currently zoned Heavy Industrial in the County. We are recommending Heavy Industrial in the City. This is going to be the area that the City hopes to develop into an Industrial Park. This City has adopted a loose Master Plan that they hope will come to fruition. So that area is actually made up of 161 acres, so once again we are recommending a zoning classification of M-2 City there.

I will do my best to answer any questions you may have.

Chairman McKee: Questions for staff?

David Williams: What is the impact of flood prone areas in this?

Brian Bishop: Well, this is zoning. (Referring to GIS map projected on screen) You're going to notice a lot of flood plain, special flood hazard area along this area. Mr. Williams, if you will give me one (1) second we will call the GIS up so you may have a better idea.

Chairman McKee: While they are dialing up the GIS, are there any other questions for staff?

David Williams: I will make a statement that the mouth of Canoe Creek is also known for a paleontological discovery. There was a giant sloth skeleton found there back in the late 1800's, early 1900's. It was 1800's because it was shipped up to Indiana University and they lost it.

But that is a site that more things could be found.

Dickie Johnson: So it's just here-say now huh?

David Williams: No, it's documented.

Claudia Wayne: The acreage on that part is 163.524 acres, is where Brian is talking about.

David Dixon: Could someone discuss this reference to something called a conservation easement?

Brian Bishop: I will do my best to address that but I may need Mrs. Kelsey to address that, the City Attorney.

In a really quick, condensed version; when the property was purchased the Nature Conservancy put in a restriction in the deed, so to speak, that the property cannot be developed in an Industrial manner, it has to stay in a natural state to protect the endangered plant. That is a really, really quick description.

David Dixon: Ok.

Chairman McKee: Is there a conservation easement.

Brian Bishop: There is one in the deed itself between the City, County, and the Nature Conservancy.

Chairman McKee: Would you like to hear more details about that Commissioner?

David Dixon: No, that's fine I just wanted to make sure that's what that meant, what I thought it meant.

Chairman McKee: Ok.

David Dixon: It sounds to me like it's protected pretty well by that encumbrance.

Brian Bishop: It is.

Chairman McKee: Any other questions for staff? We're waiting for the GIS to come up.

Brian Bishop: The blue shaded area is zoned AE, and is a documented and regulated flood zone. (Referring to GIS map on projection screen)

Chairman McKee: Quite a bit.

David Williams: Not as much as I thought there would be there.

Chairman McKee: Are there plans to mitigate some of that?

Brian Bishop: I'm not sure we're at that stage yet, I believe that will be handled by the City and their engineering firm.

Chairman McKee: Some of the more developable acres of the parcels are locked between Borax Drive and crossing the wetlands, so I'm sure something will happen at some point.

Brian Bishop: These are the parcels that we are discussing this evening.

Chairman McKee: Does that answer your question Commissioner Williams?

David Williams: Yes, thank you.

Chairman McKee: Any other questions for staff? Is there anyone here that would like to speak for or against this rezoning in conjunction with annexation...excuse me?

Tommy Joe Friday: No, no. Recommendation of zoning classification to the city in conjunction with annexation, not a rezoning.

Chairman McKee: Excuse me, recommendation for a zoning classification in the City in conjunction with an annexation. Would anyone like to speak to that, for or against?

David Williams: Will that take two (2) separate motions for the Ag and the M2?

Brian Bishop: Commissioner Williams you will notice there are two (2) proposed findings of facts in your packet.

Chairman McKee: Are there any other questions or would anyone like to make a statement? If you've had enough time to ponder the findings of fact, the Chair will now consider a motion on Section A first.

***MOTION WAS MADE BY DAVID DIXON, SECONDED BY RODNEY THOMAS IN REGARDS TO ASSIGNMENT OF ZONING #1071 (SECTION A) IN CONJUNCTION WITH ANNEXATION FOR PARCEL ID NUMBER 46-65, BETWEEN BORAX DRIVE AND OHIO DRIVE, IN THE COUNTY OF HENDERSON; MOVES THAT THE PLANNING COMMISSION RECOMMENDS THE ASSIGNMENT OF AGRICULTURAL (AG) ZONING ASSIGNMENT IN CONJUNCTION WITH ANNEXATION TO THE ABOVE PARCEL # 46-65, AND I LEAVE THE MOTION OPEN FOR OTHER MEMBERS OF THE PLANNING COMMISSION TO ADD FINDINGS OF FACT IN SUPPORT OF THIS MOTION BECAUSE; THE SITE IS A NATURAL AREA THAT CONSISTS OF "A RELATIVELY NATURAL HABITAT OF FISH, WILDLIFE, OR PLANTS, OR***

***SIMILAR ECOSYSTEM AS DESCRIBED IN USED IN 26 U.S.C. § 170(H)(4)(A)(II).***

- ***THE SITE IS COMPOSED OF RELATIVELY MATURE BOTTOMLAND HARDWOOD FOREST LOCATED IN THE FLOODPLAIN OF CANOE CREEK.***
- ***THE SITE'S BOTTOMLAND HARDWOOD FOREST PROVIDES IMPORTANT HABITATS FOR A WIDE VARIETY OF PLANTS, RESIDENT AND MIGRANT BIRDS AND RESIDENT ANIMAL SPECIES.***
- ***THE SITE IS LOCATED AT THE CONFLUENCE OF CANOE CREEK AND THE OHIO RIVER.***
- ***THE SITE IS ENCUMBERED BY A CONSERVATION EASEMENT WHICH INTENDS TO PRESERVE AND PROTECT IN PERPETUITY THE CONSERVATION VALUES OF THE SITE.***

***THE PROPOSED ASSIGNMENT OF ZONING IN CONJUNCTION WITH ANNEXATION IS IN AGREEMENT WITH THE GOALS AND OBJECTIVES OF THE COMPREHENSIVES PLAN, IN THAT:***

- ***WISELY PLAN FOR LAND USES IN APPROPRIATE LOCATIONS TO MAXIMIZE QUALITY DESIGN AND MINIMIZE THE ADVERSE IMPACTS OF DEVELOPMENT. (BALANCING LAND USE GOAL # 1)***
- ***PROTECT AND ENHANCE THE QUALITY OF NATURAL ENVIRONMENT WHILE PERMITTING APPROPRIATE***

**DEVELOPMENT ON SUITABLE LANDS. (PROTECTING NATURAL SYSTEMS GOAL #1)**

- **DISCOURAGE URBAN DEVELOPMENT IN FLOOD PLAINS. (PROTECTING NATURAL SYSTEMS OBJECTIVE B)**
- **PRESERVE SIGNIFICANT NATURAL FEATURES AND ENHANCE EXISTING GREEN AREAS. (PROTECTING NATURAL SYSTEMS OBJECTIVE C)**

Chairman McKee: We have a motion and a second. Would anyone like to add findings of fact to the Commissioners motion? Hearing none, Madame Clerk will you please call the roll?

**ALL IN FAVOR: AYE**

**OPPOSED: NONE**

Chairman McKee: Now we will discuss **#1071 Annexation, Section B.** Any questions for staff? Anyone care to speak? Hearing no questions and no speak, the Chair will entertain a motion.

**MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY DAVID DIXON IN THE MATTER OF ASSIGNMENT OF ZONING #1071 (SECTION B) IN CONJUNCTION WITH ANNEXATION FOR PARCEL ID NUMBER 46-64, 46-55, AND 46-58.8 LOCATED ON BORAX DRIVE IN THE COUNTY OF HENDERSON, MOVES THAT THE PLANNING COMMISSION RECOMMENDS THAT THE PLANNING COMMISSION RECOMMENDS THE ASSIGNMENT OF HEAVY INDUSTRIAL DISTRICT (M-2) ZONING ASSIGNMENT IN CONJUNCTION WITH ANNEXATION TO THE ABOVE PARCELS (PID# 46-64,46-55,46-58.8), AND I LEAVE THE**

***MOTION OPEN FOR OTHER MEMBERS OF THE PLANNING COMMISSION TO ADD FINDINGS OF FACT IN SUPPORT OF THIS MOTION, BECAUSE:***

- ***THE AVAILABILITY OF THE OHIO RIVER FOR LOADING AND UNLOADING FACILITIES.***
- ***THE CURRENT USES OF THE ADJOINING PROPERTIES ARE AS FOLLOWS: THE OHIO RIVER IS TO THE NORTH; HEAVY INDUSTRIAL DISTRICT (M-2) TO THE WEST; LIGHT INDUSTRIAL DISTRICT (M-2) HENDERSON COUNTY DETENTION CENTER TO THE EAST AND THE HENDERSON WATER UTILITIES SEWAGE PLANT; AND HEAVY INDUSTRIAL DISTRICT (M-2) TO THE SOUTH.***
- ***THE EXISTING HEAVY INDUSTRIAL DISTRICT (M-2) IS COMPATIBLE WITH THE SURROUNDING USES.***
- ***PROMOTES ECONOMIC DEVELOPMENT AND EMPLOYMENT PROSPECTS BY INCREASING DEVELOPABLE SITES INDUSTRIAL USES.***
- ***THE SITE HAS ACCESS TO AN EXISTING CSX RAIL LINE IMMEDIATELY WEST OF THE SITE.***
- ***THE SITE IS LOCATED NEAR TRANSPORTATION CORRIDORS INCLUDING I-69 AND US 60, WHICH ARE FEDERAL ROADWAYS, WHICH WILL ALLOW FOR ADEQUATE VEHICULAR ACCESS.***

***THE PROPOSED ASSIGNMENT OF ZONING IN CONJUNCTION WITH ANNEXATION IS IN AGREEMENT WITH THE GOALS***

**AND OBJECTIVES OF THE COMPREHENSIVES PLAN, IN THAT:**

- **WISELY PLAN FOR LAND USES IN APPROPRIATE LOCATIONS TO MAXIMIZE QUALITY DESIGN AND MINIMIZE THE ADVERSE IMPACTS OF DEVELOPMENT. (BALANCING LAND USE GOAL # 1)**
- **GUIDE INDUSTRIAL GROWTH TO EXISTING INDUSTRIAL AREAS AND ENSURE THEY ARE COMPATIBLE WITH THE SURROUNDING USES AND ARE SERVED BY ADEQUATE PUBLIC FACILITIES AND SERVICES. (BALANCING LAND USE OBJECTIVE # 1).**
- **ENCOURAGE AND PROMOTE THE DEVELOPMENT OF A STABLE AND DIVERSIFIED ECONOMIC BASE THAT HAS EMPLOYMENT OPPORTUNITIES WITHIN THE COMMUNITY. (GROWING THE ECONOMY GOAL # 1)**
- **ENCOURAGE THE USE OF EXISTING INDUSTRIAL PARKS AND RIVERPORT FACILITIES. (GROWING THE ECONOMY OBJECTIVE # B)**
- **PLAN FOR AND ENABLE READILY AVAILABLE ECONOMIC AND INDUSTRIAL DEVELOPMENT LAND TO MEET THE NEEDS FOR JOBS; AND ENABLE INFILL AND REDEVELOPMENT THAT CREATES JOBS WHERE PEOPLE LIVE. GROWING THE ECONOMY OBJECTIVE # F)**

Chairman McKee: We have a motion and a second. Does anyone care to add additional findings of facts to the Commissioners motion? Hearing none, Madame Clerk will you please call the roll?

***ALL IN FAVOR: AYE***

***OPPOSED: NONE***

Chairman McKee: Recommendations are approved to be forwarded on to the City, is that correct?

Brian Bishop: Yes sir.

Chairman McKee: The Chair will entertain a motion to go **out of public hearing.**

***MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY KEVIN RICHARD TO GO OUT OF PUBLIC HEARING.***

Chairman McKee: We have a motion and a second, all those in favor signify by saying aye. Any opposed?

***ALL IN FAVOR: AYE***

***OPPOSED: NONE***

Chairman McKee: So mote it be. Next on the agenda is the Finance Report, Mrs. Curtis are you going to lead that conversation?

Theresa Curtis: Yes sir.

Chairman McKee: Please proceed.

Theresa Curtis: We are at eighty-eight percent (88%) of budget, we have one (1) month left for this fiscal year.

***MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY DICKIE JOHNSON TO APPROVE THE FINANCE REPORT FOR MAY 2017.***

Chairman McKee: We have a motion and a second, any discussion? All those in favor signify by saying aye. Any opposed?

***ALL IN FAVOR: AYE***

***OPPOSED: NONE***

Chairman McKee: Finance Report is approved as presented. Next on the agenda is the **Bond Report**. Mrs. Wayne will you please lead us in that conversation?

Claudia Wayne: Yes. We have Elfren Malave screening, we're releasing that. It's out there on Hwy 416 W.

Owensboro Health, we're extending that one (1) year and leaving the amount the same.

Colonial Senior Living, we're releasing the erosion control and storm.

Starbucks, which is Hogan Holdings we're releasing the erosion control and entrance.

Warm Residence II, we're accepting the sidewalks and entrance; releasing the erosion control, and entrance we're releasing.

Chairman McKee: Any questions for Mrs. Wayne?

***MOTION WAS MADE BY MAC ARNOLD, SECONDED BY BOBBIE JARRETT TO ACCEPT THE BOND REPORT AS SUBMITTED.***

Chairman McKee: We have a motion and a second, any discussion? All those in favor signify by saying aye. Any opposed?

***ALL IN FAVOR: AYE***

***OPPOSED: NONE***

Chairman McKee: The Bond Report is approved as presented. Next on the agenda is Administrative Business, Mr. Bishop are you going to lead us on that?

Brian Bishop: Yes sir. Staff, in conjunction with the Executive Committee is still progressing with working on the Development Process Analysis and Community Perception Study. We have met with members of the private sector which include; Matt Calvert with Morley and Associates, Mike Vickers with QK4 Engineering, Dennis Branson from Branson Surveys, Jeff Troxel from Troxel Development, the Executive Committee, and Chuck Stinnett from KYNDLE.

We have gone through the entire list of recommendations that was made by TSW, and we are now meeting with the public side which is everyone that's normally involved in the technical review of Preliminary Conference. We are roughly a third (1/3) of the way through of going through that, they have been a little tougher to wrangle than the private sector folks.

We have planned to continue on this path so that we can take the two (2) sets of recommendations and merge them so the Executive Committee and staff can make a formal recommendation to the Planning Commission.

Our goal was to have that done by the July meeting, it's looking pretty tight for that just because we've had a hard time scheduling the folks on the public side. So, if it's acceptable to the Planning Commission I would like to go ahead and schedule that presentation at the August

meeting. So that way we can start making recommendations of how we're going to implement the changes that we are requesting.

Chairman McKee: Any thoughts?

David Dixon: It's acceptable to me.

Chairman McKee: Does anyone object? It's just a matter of scheduling the agenda, we don't need any formal action do we?

Brian Bishop: I just wanted to make sure everyone was ok with that schedule.

Chairman McKee: Everyone is ok? Does anyone object? Ok, let's move on to the next; July meeting.

Brian Bishop: As you know the Fourth of July will be the date that we would normally meet so we need to plan for an alternative time. Mrs. Curtis has checked with the City and this room will be available the 10<sup>th</sup> and 13<sup>th</sup> of July. If needed, we could also meet at the Peabody Building, so we are open to suggestions as to when the Planning Commission would like to meet.

Chairman McKee: The 10<sup>th</sup> and the 13<sup>th</sup>?

Brian Bishop: Correct.

Theresa Curtis: The 10<sup>th</sup> is on a Monday, and the 13<sup>th</sup> is on a Thursday.

Brian Bishop: But also if needed we can meet at the Peabody Building at any time.

Chairman McKee: It's not available on the 11<sup>th</sup>, they're using it for a City Commission meeting.

Theresa Curtis: That's correct.

Chairman McKee: What's your pleasure? Would anyone like to suggest a different date?

David Williams: Other than the 10<sup>th</sup> or Thursday or Monday?

Chairman McKee: Yes. See which date meets most everybody's needs.

Rodney Thomas: I like the 10<sup>th</sup>.

Chairman McKee: You like the 10<sup>th</sup>?

Rodney Thomas: Yes.

Chairman McKee: Does anyone else have a number?

Kevin Richard: I'm not available the 13<sup>th</sup>.

Chairman McKee: So you like the 10<sup>th</sup> too? Any other comments? Do we need to make a formal motion to move the meeting date? We probably do don't we?

Tommy Joe Fridy: You do, and then Brian and I will look at the By-Laws and see if we need to make it a special meeting or if the action; when it's on a holiday it says something or other but I haven't read it in a while. So I recommend we do a motion, and we will look at the By-Laws and do whatever is necessary.

Chairman McKee: Clean it up? Without objection, if anybody objects we'll reconsider, but the Chair will entertain a motion to move our July meeting to July 10<sup>th</sup> at 6p.m. here in this room correct?

Brian Bishop: Yes sir.

Chairman McKee: We need a motion.

***MOTION WAS MADE BY RODNEY THOMAS, SECONDED BY BOBBIE JARRETT TO MOVE THE JULY MEETING TO MONDAY, JULY 10, 2017 AT 6P.M.***

Chairman McKee: We have a motion and a second, any discussion? All those in favor signify by saying aye. Any opposed?

***ALL IN FAVOR: AYE***

***OPPOSED: NONE***

Chairman McKee: You will give the appropriate notices to us. Next on the agenda is aerial photography, Mr. Bishop.

Brian Bishop: Yes sir. We have been afforded a very unexpected, but welcomed opportunity. Howard Moran, who is the Property Valuation Administrator for Henderson approached Mr. Raymer and I about an opportunity that we would like to explore.

He has an unexpected amount of thirty-thousand dollars (\$30,000) that is placed in his care, and he is offering to allow us to use that to purchase aerial photography. So our request is that we use the money provided by Mr. Moran and the fifteen thousand (\$15,000) we currently have budgeted for aerial photography to seek a RFP so that we can actually purchase new photography.

As you know the current photography was last flown 2009. So our suggestion is that the Planning Commission authorizes the Executive Committee and staff to seek RFP's and ultimately enter into a contract with an appropriate firm who can provide that service to us. We have a rough estimate of fifty thousand dollars (\$50,000) to purchase this aerial photography which will serve the needs of the Planning Commission and the PVA office. What we would like to do is take the money from Mr. Moran, the fifteen thousand (\$15,000) that we currently have, and

use some of the money in our reserve account to cover the balance of that. After that is done, we propose that the excess revenue that we normally have at the end of the year that we give back to the City and County, we would take the amount borrowed from the reserve account and pay that back to the reserve account.

We think this is a good option. This provides aerial photography that can be used for everyone that is on the GIS network, we can provide it on our website, our GIS website; Mr. Moran can use it for oblique imagery which is when the airplane flies over it shoots the photographs at a forty-five (45) degree angle which is very beneficial to him.

So again I would ask that the Planning Commission consider allowing the Executive Committee and staff to seek RFP's and enter into a contract with the vendor that we think is best.

Chairman McKee: And with the PVA.

Brian Bishop: And PVA.

Tommy Joe Fridy: And sign a contract with PVA.

Chairman McKee: A memorandum of understanding with the PVA.

Mac Arnold: Do we need a motion for that?

Tommy Joe Fridy: Yes.

Chairman McKee: Would you also...

Tommy Joe Fridy: It would probably be good to add that the Chairman, whomever, be authorized to negotiate too. All of this is going to have to happen in a very tight time frame for Howard not to lose that money, which means for us not to lose that thirty thousand dollars (\$30,000).

Brian Bishop: That's the caveat. Mr. Moran has to have the money spent by the end of the fiscal year.

Tommy Joe Fridy: That's not exactly right. We don't know for sure, I'm not correcting Brian. There has been a lot of discussion on that. They brought me, told me about it five (5) o'clock on Friday afternoon. We all did a lot of work on it yesterday, and it's unclear and it may clear up more as we go but it is for sure, in everyone's best benefit, that we do as much as reasonably possible before June 28. We could actually have put an RFP out, have a bid back, maybe even have a contract signed with the vendor; that would be the best of all worlds. As we back off from that we possibly, we can keep that money.

So everybody is going to do all they can to do as much of that as possible. What he said isn't wrong but if we don't get quite everything done, if we don't get the final contract with the vendor inked, we're probably still ok if we're close and in the process of negotiating; we have a bid that the Executive Committee, the Chairman, and staff, and whatever if they need me I'll help them. I hope that didn't confuse it but it's, there aren't any concrete answers to this. But we do need authorization for the Executive Committee, the Chairman, and staff to do all these acts.

Gray Hodge: Do you have enough time to do an RFP between now and the 28<sup>th</sup>?

Tommy Joe Fridy: Well you have ten (10) days, and it's already drafted, I worked on it yesterday. I worked on the MOU with the Property Valuation Administrator. He has tentatively approved it, he is out of town but he looked at it out of town. Another group worked on the RFP.

Gray Hodge: Is it sent to select vendors though or is it publically...

Tommy Joe Fridy: Yes it will be advertised. Statutorily it has to be advertised in the Henderson gleaner; the wording is the paper with the largest circulation in the county, and we only have one (1).

Mac Arnold: Does that have to be done before you make the bid? Does it have to be published any length of time or?

Tommy Joe Fridy: You have to have it out after publication for ten (10) days. I'm not saying that's what will be done because this is all being very much being done on the fly. You're either going to have to approve for the Executive Committee to approve it and actually approve a contract with Howard, approve the RFP, approve and evaluate the bids, and possible-for sure negotiate, and possibly, actually sign an agreement with the best vendor as soon as possible; if possible before the 28<sup>th</sup>. It's a tight, tight time frame. If you don't approve all of those things you're necessitating a called meeting.

David Dixon: A couple of other questions. We have this thirty thousand dollars (\$30,000), we have fifteen thousand dollars (\$15,000) budgeted, and we expect this service to cost more than that?

Brian Bishop: From rough estimates we anticipate it to be slightly under fifty thousand dollars (\$50,000).

Chairman McKee: So you could cap the authorization at fifty-thousand (\$50,000)? No?

Tommy Joe Fridy: I did it in my head as we were working the other day but I thought it was slightly over fifty (\$50,000).

Brian Bishop: It depends on which options you take. From one (1) of the vendors that provided an estimate, there are different options you can take. Mr. Fridy's right, if you were to take all the options it would be

over fifty (\$50,000), but most likely we will not take all the options they are offering.

Tommy Joe Fridy: And hopefully you can, it will bid and be negotiated to below that. You're going to make the best deal you can, but you don't want to cap yourself to where you have to call a special meeting over a thousand dollars (\$1,000) or fifteen hundred dollars (\$1,500), I mean, maybe you do, but...

David Dixon: How would this action improve the aerial photography that we make available to the public?

Brian Bishop: It would be more up to date aerial photography. As I said before, we currently have aerial photography that was flown in 2009, this aerial photography would not be flown until late fall or early winter so that way we can capture the imagery with the leaves off and we can get more up to date data that we can provide to the users of the GIS and the public.

David Williams: Will the resolution be higher?

Brian Bishop: We are going to use four inch (4") resolution, and I believe the current resolution is six inch (6") resolution so it will be slightly better.

David Dixon: It's going to be more, it's my understanding this is going to be more accessible to the public.

Brian Bishop: It will be just as accessible. We currently have the 2009 data on our website; this data will also be available. They will have another option for a base map. So they can do side by side comparison. Say for example, how the Wal-Mart area is developing. You can actually turn the layers on and off, and you can document growth.

David Dixon: Ok, we've budgeted fifteen thousand (\$15,000).

Brian Bishop: Correct. You may remember the...

David Dixon: So we must have had a different plan at that point.

Brian Bishop: We did, and you guys may remember at the time we were looking at a service where we would actually leave aerial photography, which we had decided to proceed down that path. Then, when Mr. Moran came to us with this thirty thousand dollars (\$30,000) that we did not expect, we reevaluated the situation and he spoke to some other PVA's that he knows, and they suggested the company that we have a proposal from in which we own this photography. The photography that we were looking at before, we only leased.

Tommy Joe Fridy: Proposal should be estimate. We don't have a, the Planning Commission doesn't have it anyway but the figure is an estimate, nobody has submitted a bid before an RFP goes out and it's advertised; but it's a common practice to get some feel for what parameters you're dealing in before you send it out.

David Dixon: My question is why is this going to be so much better for the public to use. I assume that's what this does.

Brian Bishop: It does. The public will have access to it. From the leasing side of the aerial photography, we were not allowed to put it on our website; we could only use it internally. With the purchase of the aerial photography, we own it and we can share it.

David Dixon: Ok, this is a win, win kind of a situation; at least two (2) wins, maybe more.

Brian Bishop: Correct.

David Dixon: I would like to try to make a motion if that's ok.

Chairman McKee: Does anyone have any questions?

Gray Hodge: I have one (1) more question, the rainy day fund; is that money that you have or money that you're borrowing?

Brian Bishop: We jokingly call it the rainy day fund, it's a reserve account that the Planning Commission created for two (2) reasons. For one, to start saving for aerial photography; and two, to help augment the Planning Commission's revenue. At the time, the County was dialing back the amount of revenue we were given, so it's two (2) fold. One for aerial photography and two to just have revenue that we can use if needed.

Gray Hodge: Is this going to clean it out?

Brian Bishop: No. We anticipate only using roughly about five thousand dollars (\$5,000) of it, and we have forty-two thousand (\$42,000) in there right now.

David Dixon: And then we're going to pay it back to ourselves?

Brian Bishop: That is what our request will be when we have the excess revenue at the end of the fiscal year. We would take that money, and put it back into the excess revenue account, and then disperse the other money to the City and County.

Gray Hodge: The excess revenue is from the Counties contribution?

Brian Bishop: City and County.

Gray Hodge: But not Corydon?

Brian Bishop: Not Corydon.

Tommy Joe Fridy: I suggest you leave the latter point out of your motion because that's something that will have to be discussed and

approved by the City and the County. Using it out of the rainy day fund, the reserve fund is fine.

David Dixon: I wasn't going to go that far.

Tommy Joe Fridy: I know that I'm talking way too much but this is a collaborative effort that a lot of people have worked extremely hard on, and we've all done a little different aspect of it.

Chairman McKee: Would you prefer that Commissioner Dixon proceed with his motion and you assist him with his motion in the event it needs to be augmented.

Tommy Joe Fridy: Probably all of us, yes. Yes I will. I'm going to be quite until you get your motion...

David Dixon: I'm going to make a run at this, ok?

Chairman McKee: Before you do, are there any other questions? Anything else anyone wants to bring up? Hearing none, the Chair will entertain that motion.

***MOTION WAS MADE BY DAVID DIXON, SECONDED BY MAC ARNOLD TO AUTHORIZE THE EXECUTIVE COMMITTEE, THE CHAIRMAN, AND STAFF TO SEEK RFP'S AND BIDS AND ENTER INTO A CONTRACT WITH AN AERIAL PHOTOGRAPHY FIRM AND THE PROPERTY VALUATION ADMINISTRATORS OFFICE TO SEEK AERIAL PHOTOGRAPHY SERVICES; THIS MOTION ALSO AUTHORIZES THE CHAIRMAN TO NEGOTIATE AND SIGN A CONTRACT TO THESE ENDS.***

Chairman McKee: We have a motion and a second. Now we can have discussion, any discussion? Does anything need to be added to that motion as far as you can tell? No?

Tommy Joe Fridy: It sounded good.

Chairman McKee: Good job. Is there any discussion? Out of an abundance of caution, Madame Clerk will you please call the roll?

***ALL IN FAVOR: AYE***

***OPPOSED: NONE***

Chairman McKee: It be unanimous, thank you all very much we have our marching orders. Is there anything else to come before us tonight? If not, the Chair will entertain a motion to adjourn.

***MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY KEVIN RICHARD TO ADJOURN.***

***ALL IN FAVOR: AYE***

***OPPOSED: NONE***

***MEETING ADJOURNED AT 6:38P.M.***

**CERTIFICATE**

**I, HEATHER LAUDERDALE, hereby certify that the foregoing is a true and accurate transcription of the Henderson City-County Planning Commission Meeting of, June 6, 2017, to the best of my ability.**

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**Heather Lauderdale, HCCPC Clerk**

**X**

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Herb McKee, HCCPC Chairman