

Henderson City-County
Planning Commission
May 1, 2018

The Henderson City-County Planning Commission held their regular meeting May 1, 2018 at 6:00 p.m., at the Henderson Municipal Center, 222 First Street, 3rd floor assembly room. Members present: Chairman Herb McKee, David Williams, Dickie Johnson, Mac Arnold, Rodney Thomas, David Dixon, Gary Gibson, and Attorney Tommy Joe Fridy. Kevin Herron, Bobbie Jarrett, Kevin Richard, Gray Hodge, and Doug Bell were absent.

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

(The following minutes were transcribed from an audio recording of the meeting on May 1, 2018. The audio recording is on file at the Planning Commission office and will be retained)

MEETING BEGAN AT 6:00PM

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

Chairman McKee: We have a quorum?

Theresa Curtis: Yes.

Chairman McKee: The Chair will entertain a motion to go **into Public Hearing**.

MOTION WAS MADE BY MAC ARNOLD, SECONDED BY DAVID DIXON TO GO INTO PUBLIC HEARING.

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

ALL IN FAVOR: AYE

OPPOSED: NONE

Chairman McKee: First item on the agenda is the consideration of the **April 3, 2018 minutes**. If you've received those, are there any additions or corrections?

Hearing none, the Chair will entertain a motion to approve the minutes.

MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY GARY GIBSON TO APPROVE THE APRIL 3, 2018 MINUTES.

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

ALL IN FAVOR: AYE

Chairman McKee: Are there any opposed?

OPPOSED: NONE

Chairman McKee: So mote it be.

Next on the agenda is the **Amended 2018-2019 Fiscal Year Budget**.

Mrs. Curtis you're going to lead that discussion?

Theresa Curtis: Yes sir.

Chairman McKee: Please proceed.

Theresa Curtis: The amended budget reflects the Amendment HB 362 which states to amended KRS 61.565 to provide that CERS employer contribution rates shall not increase more than twelve percent (12%) per year over the prior fiscal year from July 1, 2018 until June 30, 2028. The previous amount we allocated for retirement at the 28.05% CERS

rate was ninety-one thousand, eight hundred ten (\$91,810). The new rate at 21.49% is seventy thousand, three hundred forty (\$70,340), which is a difference of twenty-one thousand, four hundred seventy dollars (\$21,470) less.

So, that's the reason why we are amending the budget which brought the amended budget down to seven hundred thirty-one thousand, one hundred ninety-seven dollars (\$731,197).

Chairman McKee: Nothing else changed?

Theresa Curtis: Nothing else changed.

Chairman McKee: The Chair will entertain a motion to approve the amended budget.

MOTION WAS MADE BY RODNEY THOMAS, SECONDED BY DAVID DIXON TO APPROVE THE AMENDED 2018-2019 FISCAL YEAR BUDGET.

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

ALL IN FAVOR: AYE

Chairman McKee: Are there any opposed?

OPPOSED: NONE

Chairman McKee: The amended budget is approved.

Next on the agenda is the **Denton-Logsdon Agricultural Division and Consolidation**. Mr. Bishop, are you going to lead that conversation?

Brian Bishop: Yes sir.

Chairman McKee: Please proceed.

Brian Bishop: This is submitted by William David Denton, Laura Logsdon, and William T. and Hallie Denton (Life Estate) for the property located in Henderson County at 8832 Thompson Road (PID#61-22). Applicants are requesting an agricultural division and consolidation, which is located in a Flood Hazard area.

As you may remember, our Subdivision Regulations exempt Ag Divisions from the requirements of the Subdivision Regulations but it also requires that the full Planning Commission approves Ag Divisions, and our Flood Damage Prevention Ordinance requires that the Planning Commission approve any divisions in a flood plane.

With that being said, had it not met these two (2) conditions, Staff would have been able to approve this in-office. With that, Staff recommends approval and I will do my best to answer any questions you may have.

Chairman McKee: Questions for staff?

David Dixon: Can you show us what's being divided and what's being consolidated?

Claudia Wayne: Where the lake is; all of this is being divided into different areas for estate planning. Mr. and Mrs. Denton own a home that's not showing on here, but they own a home and there is a dwelling on it also.

Then, they've already subdivided off this tract right here (referring to the aerial GIS Map projected on large screen), and that was a Minor Sub that was done and already recorded. The rest of the property they are subdividing just for their children later on. Mr. and Mrs. Denton have a Life Estate of all of it but they're just doing some property lines for later on down the road for their children is what they're doing.

David Dixon: What's being consolidated.

Claudia Wayne: Right here. I'm thinking I'm seeing a land-hook right here, is that a land-hook, Brian? No, here, here. These two (2) right here are being consolidated.

David Dixon: Ok.

Claudia Wayne: Where those land-hooks are, right there.

David Williams: Also, that little...along with that little segment up...

Claudia Wayne: Then there's a little section.

David Williams: Yes.

Claudia Wayne: I'm sorry, right up there.

David Williams: Does that go all the way... how far up does that go? To just that little rectangle or is that...

Claudia Wayne: It goes all the way up to that property line where the... see the dash lines? It goes all the way up to that; yeah up there, right up in here. The plat shows...

Brian Bishop: Commissioner Williams, you have Tract 1 which is here and you have Tract 2 which is consolidated to this, this, and this.

Claudia Wayne: Uh huh.

David Williams: Ok.

Claudia Wayne: They're just kind of dividing it into two (2) different... with two (2) different property lines.

Brian Bishop: Commissioner Dixon, does that answer your question?

David Dixon: Yes, I think so.

Chairman McKee: Any other questions for Staff?

Mr. and Mrs. Denton, or the Denton's and the concerned parties are not here tonight. So, any questions you have will have to go to Staff.

David Dixon: Brian, does this request meet all... satisfactory all conditions and all...

Brian Bishop: Staff believes it does.

David Williams: And does it meet our Comprehensive Plan and... I'm not even sure it's an appropriate question but is it...

Brian Bishop: Staff believes it's a legitimate Agricultural Division and not an unreasonable exemption from the Subdivision Regulations; a good way to put it.

Claudia Wayne: All that property is farmed at this time and will continue to be farmed.

Chairman McKee: What part of it's in the Flood Hazard zone?

Brian Bishop: That is the southern portion. See the green line here
Chairman McKee?

Chairman McKee: Do you know if it gets underwater?

Brian Bishop: I'm not sure. It is a zone A-E map.

Chairman McKee: Thank you. Any other questions for Staff? Any other questions period? Any comments? Hearing none, the Chair will entertain a motion.

MOTION WAS MADE BY DAVID DIXON, SECONDED BY MAC ARNOLD TO APPROVE THE DENTON AND LOGSDON AGRICULTURAL DIVISION AND CONSOLIDATION. SUBMITTED BY WILLIAM DAVID DENTON, LAURA LOGSDON, AND WILLIAM T. AND HALLIE DENTON LIFE ESTATE, FOR

THE PROPERTY LOCATED IN HENDERSON COUNTY AT 8832 THOMASON ROAD (PID#61-22).

Chairman McKee: We have a motion and a second; any discussion?
Madame Clerk, will you please call the roll?

ALL IN FAVOR: AYE

OPPOSED: NONE

Chairman McKee: Motion is approved.

The Chair will entertain a motion to **go out of Public Hearing.**

MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY DICKIE JOHNSON TO GO OUT OF PUBLIC HEARING.

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

ALL IN FAVOR: AYE

Chairman McKee: Are there any opposed?

OPPOSED: NONE

Chairman McKee: We are out of Public Hearing.

Next on the agenda is the **Finance Report for April 2018.** Mrs. Curtis, are you going to lead that.

Theresa Curtis: Yes sir.

Chairman McKee: Please proceed.

Theresa Curtis: We are at seventy-eight percent (78%) of budget, and we have two (2) months left. If you have any questions, I'm here to answer them.

Chairman McKee: Questions for Mrs. Curtis?

MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY MAC ARNOLD TO APPROVE THE FINANCE REPORT AS RECEIVED.

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

ALL IN FAVOR: AYE

Chairman McKee: Are there any opposed?

OPPOSED: NONE

Chairman McKee: The Finance Report is approved.

Next on the agenda is **Administrative Business**, and a report from the RFP Committee on legal services. Vice-Chairman David Williams is going to give that report.

David Williams: The RFP Committee met to review the request for proposals that were received for legal services. And having done so, the Committee recommends to the full Planning Commission that we accept that proposal as presented by Tommy Joe Fridy for advising and counsel.

Chairman McKee: Will you put that in form of a motion?

David Williams: So moved.

MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY RODNEY THOMAS THAT THE RFP COMMITTEE RECOMMENDS TO THE FULL PLANNING COMMISSION TO ACCEPT THE PROPOSAL AS PRESENTED BY TOMMY JOE FRIDY FOR ADVISING AND COUNSEL.

Chairman McKee: We have a motion and a second; any discussion?
Madame Clerk, will you please call the roll?

ALL IN FAVOR: AYE

OPPOSED: NONE

Chairman McKee: The motion is approved. Congratulations Mr. Fridy, we welcome your legal counsel for one (1) year with a possibility of two (2) renewals, and Staff and the RFP Committee are working on the language in the agreement and we will bring that back to you when it is ready to be viewed. And we'll also bring you an engagement letter from the accounting firm for the audit services at the appropriate time.

Is that accurate, Mr. Bishop?

Brian Bishop: Theresa, I think we discussed this today. We have the letter, the engagement letter. I think you were right, Chairman McKee that we would act on them at the same point in time. Is that what you were meaning?

Chairman McKee: Yes.

Brian Bishop: ...act on at one point.

Chairman McKee: Additionally, we need to authorize the Chair and Executive Director to sign the engagement letter with Mr. Fridy for legal services.

MOTION WAS MADE BY DAVID DIXON, SECONDED BY GARY GIBSON TO AUTHORIZE THE CHAIR AND EXECUTIVE DIRECTOR TO SIGN THE ENGAGEMENT LETTER WITH MR FRIDY FOR LEGAL SERVICES.

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

ALL IN FAVOR: AYE

Chairman McKee: Are there any opposed?

OPPOSED: NONE

Chairman McKee: Motion is approved.

Next on the agenda, we thought maybe we would spend about two (2) or three (3) minutes taking a look at our Planning Commission Website again so we don't lose sight of needing to review that.

Brian Bishop: Mr. Chairman, can I... while we're dialing that up can I make an announcement really quick?

Chairman McKee: Today in Fiscal Court, the court re-appointed three (3) commissioners. Dickie Johnson, David Dixon, and Doug Bell. So, they are set to be with us for a while longer.

Chairman McKee: What...just out of curiosity, why did Commissioner Bell need to be re-appointed?

Brian Bishop: His first term was only for one (1) year since it was his first term. I believe statute requires first appointment is only for one (1) year, and then it rolls over into a two (2) year term.

Chairman McKee: Is that a new statute?

Brian Bishop: Theresa, do you have that handy by any chance?

Herb McKee: My first term was for four (4) years.

Brian Bishop: The way we read it, it was for one (1) year term and then rolled over.

Theresa Curtis: Yes.

Chairman McKee: Did he fill out the un-expired term of Herb Pritchett?

Brian Bishop: We had thought that originally but once we dug into it the term was not unexpired.

Dickie Johnson: Oh, ok.

Chairman McKee: Herb's term was up.

Dickie Johnson: Oh, was it? Ok.

David Dixon: So how long are the terms.

Brian Bishop: They are alternating. It's not the same term every time.

Theresa Curtis: No.

Brian Bishop: So that way not everyone goes on and off at the same time.

Theresa Curtis: It's under the KRS terms of office, where it states that it staggers. When they are first appointed; one (1) year. Then two (2) years, three (3) years, four (4) years so that way you don't have a whole board all of a sudden, their terms are all up at the same time, so. With Doug, when he started for the first year...so now, he'll go to two (2) years so he's good till 2020, and Dickie and David Dixon have already been on the board longer than that so he's got four (4) years.

David Dixon: I appreciate being re-appointed but... so how long did I get re-appointed for.

Theresa Curtis: Until 2022, four (4) years.

David Dixon: Ok. Nobody told me that. (laughter)

Theresa Curtis: The County should have gotten with you to explain that.

Chairman McKee: Was Dickie re-appointed for four (4) years too?

Theresa Curtis: Yes.

Dickie Johnson: Ok.

Chairman McKee: I'm familiar with staggering terms when you initially form an organization so that you don't have all of the directors coming due at the same time but I didn't know about this.

Brian Bishop: Mr. Chairman, I may have misread that; what Mr. Fridy and I were talking about, I think I may have misread it. The initial Planning Commission creation is the one (1) year term, I think I misread that.

Chairman McKee: So, he's...Doug Bell's term...Doug Bell wasn't up then?

Tommy Joe Fridy: I don't think so but I haven't read that statute in a long time. Allow me to read it and we can...

Chairman McKee: Correct it.

Tommy Joe Fridy: What was announced here doesn't change it, it's what Fiscal Court did. I suspect they didn't really make an appointment because he was still in office. We'll correct it if it needs to be corrected.

Chairman McKee: I know they took action on Doug Bell.

Tommy Joe Fridy: But it won't matter if...

Chairman McKee: Ok.

Tommy Joe Fridy: Probably because we told them we needed to.

Chairman McKee: I argued with the Judge for a while, and then I quit.

Brian Bishop: Any questions or things you would like to see on the website?

Chairman McKee: Is that it? There it is.

David Dixon: Well, just for the heck of it; what if you hit “How Do I”, what happens?

Mac Arnold: Are there any new features to the website?

Chris Raymer: New? I haven’t had a chance to update the content. We’re going to get, you know clean this up a little bit and what really needs to be there like “About Us”, The Code Ordinances, The Staff and do some screenshots; what would we really like to see in these areas.

Like Mr. Dixon just said, the “How Do I”; what’s really needed there?

What they did was they brought over the old website and put that content on here and once you start seeing it it’s like, well that really doesn’t go there...and some of the stuff is...

Chairman McKee: Did you look at the County Codes on the Henderson County website versus the County Codes on this website?

Brian Bishop: I have not.

Chris Raymer: I haven’t either. Can you elaborate a little on that Herb, please; Mr. McKee.

Chairman McKee: I’m sorry sir?

Chris Raymer: Can you elaborate on what...

Chairman McKee: It looks different and I believe, I haven’t looked at it closely since last month but I believe it acts a little different. But you can do that some other time, that’s just an observation.

Chris Raymer: Alright.

Mac Arnold: Is the GIS still the same, has there been updates in that part of it?

Chris Raymer: As far as the GIS Website it's the same map we've had.

Mac Arnold: Ok.

Chris Raymer: But it's on my to-do list to update those.

Chairman McKee: Mac is there anything else you want to see?

David Williams: Are you linked with GIS on this page?

Chris Raymer: I'm sorry?

David Williams: Are you linked to the GIS website from this page?

Chris Raymer: It should be, I don't know whether I have that on here yet or not. No, but that will be...it's an oversight on my account. The ACC GIS, I thought it was out on helpful links, but.

Chairman McKee: Is anyone working on the portlet?

Chris Raymer: The hendersonky?

Chairman McKee: Yes.

Chris Raymer: I'm taking from analytics from it but other than that...what...it's being used.

David Dixon: What happens if you hit under "Contacts: All or Related Contacts"?

Chris Raymer: I did clean that up a little bit, it was a little scattered. That came over from our previous site and I believe I added Ray or I changed his phone number or something.

Claudia Wayne: That needs to be changed.

Chris Raymer: What needs to be changed?

Claudia Wayne: Ray's the Codes Administrator.

Chris Raymer: Oh, yeah ok.

Brian Bishop: Are there any suggestions from the Commission?

David Williams: The only other thing I see, I would like to see is a link to the PVA site as well.

Chairman McKee: Can you use the PVA site if you don't pay?

Chris Raymer: Yes.

David Williams: Limited.

David Dixon: So, we're still doing some updating on this?

Chris Raymer: Yeah, we're still cleaning it up and trying to get it more user friendly.

Brian Bishop: It will probably be an on-going process.

David Dixon: Right.

Brian Bishop: But it seems to function much better than the old site.

David Dixon: Nice picture.

David Williams: Open up the forms for me, would you please?

Chairman McKee: I think we ought to call somebody from out of town and have them dial this up and see how functional they think it is. How intuitive and informative it is; perhaps an engineer.

Chris Raymer: These are just the PDF copies of the forms.

David Dixon: They're all printable if someone wants to print them?

David Williams: So, you can't fill them out online, you have to print...

Chris Raymer: There is that capability to do that if we chose to do that but we didn't; people decided not to do that at the time.

I believe the County is a good example. We were able to benefit from the County purchasing this and upgrading their website and I do know that one (1) instance where they used the online form is with the Volunteer Fire Dues Opt-Out; it looks pretty slick, Brent showed me that the other day. So, the capability's there within the tool if we decide we want to do online forms.

Chairman McKee: Is the old website still up?

Chris Raymer: It's not live. You mean the old...I have to remember what that...

Chairman McKee: The old hendersonplanning.org website.

Chris Raymer: No, it's not up.

Chairman McKee: Do you know where...is it out there somewhere?

Chris Raymer: Excuse me?

Chairman McKee: Is it out there somewhere?

Chris Raymer: Yes. But I would have to, I would have to bring it back up live; it's like in shut-down mode, in archive mode right now.

Chairman McKee: It would seem to me that that inventory of what's on that old site...

Chris Raymer: You talking about this site?

Chairman McKee: We ought to match it up and make sure we've covered all those bases.

Chris Raymer: Ok.

Chairman McKee: Unless there's a good reason to eliminate something.

Chris Raymer: Well, everything that could be brought over was brought over.

Chairman McKee: Ok.

Chris Raymer: But, I mean, it's definitely there to refer back to. There's an actual thumbnail of it right there.

Chairman McKee: Have you looked at it Theresa?

Theresa Curtis: Yes, there's a lot of layout that needs to be updated...

Tommy Joe Fridy: David, if you allow the forms to be completed online, we need to not need...the Planning Commission needs to...the Staff needs to keep an eye on it, if not (inaudible, too many people speaking in background) ... approved because it puts us under time deadlines and the City is pretty tight. So, if you don't want...our time to start running until that application is complete, until they've given us everything they're required to give us. (Inaudible, too many people speaking in background).

But it's something when you do it, you need to keep that in your mind and build it in. It has to be doable because it's (inaudible, too many people speaking in background)

Brian Bishop: Is everyone ok with us making some modifications and bringing it back in a month or two (2) to review?

Chairman McKee: If you don't mind to put that and the portlet on the GIS Committee agenda, that would be a good thing for us to (inaudible, too many people speaking in background).

David Williams: What do you mean by portal?

Chairman McKee: That's the "hendersoncounty.ky.gov", it's got...

David Dixon: Links to various things...

Chairman McKee: Those icon things that you can click on and go to various places.

David Dixon: We're not there now?

Chairman McKee: We took it off the County server and it's attached to the GIS server now and it needs...we've got to make a decision about it. It needs to be upgraded because it's still got Economic Development, and Chamber of Commerce, and various...

Chris Raymer: I mean, you still get to it the same way you always got to it, type in the URL it's just hosted at a different spot to save money.

Chairman McKee: If you type in hendersoncounty.ky.gov it will take you there?

David Dixon: Uh huh.

Chris Raymer: Yes.

Chairman McKee: Great, that's good.

David Dixon: And then from there, they can go to the Planning Commission.

Theresa Curtis: Yes.

David Dixon: To our new site.

Brian Bishop: They can get to GIS from there, PVA from there.

Chris Raymer: And yes, a gentleman that is very talented in graphic design did this and these are all images so this can't change... you've got to be talented and I'm not talented in that area. You would probably

have to go to a graphic designer. But that does go to KYNDLE, just because the image isn't... it still says...

Chairman McKee: I believe Commissioner Bell recommended at the last meeting that we enlist David Maish to clean this up.

David Dixon: Is this something for us to clean up?

Claudia Wayne: No, he didn't.

Chris Raymer: I don't think he recommended... I don't recall that but he is the gentleman that did this now that you mentioned his name.

Chairman McKee: He did, he said it right here in the meeting.

Chris Raymer: Ok, I just didn't hear him. If he's still available...

Chairman McKee: He was speaking from the 4-Star Industrial Park perspective that they use him for their graphics.

Chris Raymer: Then yes, I think that would be great, he's the one that developed it in the first place.

Chairman McKee: That will cost a little money probably, do we have anything in the budget to pay for that?

Brian Bishop: We'll find a way.

Chairman McKee: Ok.

David Dixon: Wait a minute, is this on our site or on...

Brian Bishop: The portal? We host the portal now. It used to be hosted by the County, so we host that now.

David Dixon: All those Education, and...

Chris Raymer: We take care of it.

David Dixon: Ok.

Chris Raymer: We just kind of inherited it.

David Dixon: Ok, I didn't understand how it came to us.

Chairman McKee: We don't host all those, we just host that one (1) page there that has links. You click on education and it sends you to the Henderson County Education link, correct?

Chris Raymer: Yeah, they're just basically bookmarks, or shortcuts.

David Dixon: What changes would we want to make to this?

Brian Bishop: I think, to Chairman McKee's point, we could upgrade where it says Economic Development; that could be the KYNDLE logo now. City Government, any of these could be upgraded.

David Dixon: You mean as far as the image that's presented?

Brian Bishop: Correct.

David Dixon: Ok.

Chairman McKee: The Downtown Henderson Project is now The Downtown Henderson Partnership, isn't it?

Brian Bishop: Yes.

Rodney Thomas: Yes.

David Dixon: Chamber of Commerce is now a part of KYNDLE, right?

Chairman McKee: Yes. Eliminate that and add, I thought we should add the Community Calendar on that.

David Dixon: You can add the Henderson Area Arts Alliance.

David Williams: It's hard for me to follow that Community Calendar for some reason.

Chairman McKee: It's hard for everybody to find it.

David Dixon: I think the Community Calendar is a good idea.

Chairman McKee: There's nothing that says you couldn't add another, what do you call those things when you click on the picture and it sends you to another...

Chris Raymer: Just a hyperlink.

Chairman McKee: It's got a name.

Chris Raymer: Hyperlink.

Chairman McKee: Hyperlink's below that, I forget what that's called.

Chris Raymer: An image?

Chairman McKee: An icon, isn't it called an icon?

Chris Raymer: Not technically but yeah, you could call it that.

Chairman McKee: There's three (3), six (6), ten (10). I guess we could change it to put three (3) more up there.

Brian Bishop: Everybody good?

Chairman McKee: Anything else we need to talk about tonight?

MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY RODNEY THOMAS TO ADJOURN.

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

ALL IN FAVOR: AYE

Chairman McKee: Are there any opposed?

OPPOSED: NONE

Chairman McKee: Meeting adjourned.

MEETING ADJOURNED AT 6:30 p.m.

I, HEATHER LAUDERDALE, hereby certify that the foregoing is a true and accurate transcription of the Henderson City-County Planning Commission Meeting of, May 1, 2018, to the best of my ability.

Heather Lauderdale, HCCPC Clerk

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Herb McKee, HCCPC Chairman