

ON THURSDAY, DECEMBER 10, 2009, THE VERSAILLES-WOODFORD COUNTY PLANNING AND ZONING COMMISSION HELD THEIR SCHEDULED MEETING IN THE 2ND FLOOR COURTROOM OF THE WOODFORD COUNTY COURTHOUSE AT 6:30 P.M.

MEMBERS PRSENT: Jim Boggs, Joel Evans, Jim Hume, Ed McClees, Tim Parrott, Brian Traugott, Chad Wells, J.D. Wolf.

Chairman Hume took time out to recognize Mr. Evans and informed the Planning Commission that it was Mr. Evans last meeting and that he has served eight years on the Planning Commission. Chairman Hume thanked Mr. Evans for his service.

MINUTES: A motion was made by Mr. McClees, as seconded by Mr. Wolf, to approve the November 12, 2009 minutes, as submitted. The motion carried with eight (8) aye votes. VOTING IN FAVOR: Jim Boggs, Joel Evans, Jim Hume, Ed McClees, Tim Parrott, Brian Traugott, Chad Wells, J.D. Wolf.

Chairman Hume announced that Item #4 for the Dairy Queen will be continued until the January meeting at the applicant's request.

Public Hearing: Zoning Map Amendment - & Preliminary Development Plan – Jim Plemmons – 6181 McCracken Pike – 14.901 acres from A-1 (Agricultural) to A-4 (Small Community) 5 lots.

Chairman Hume declared the hearing open at 6:40 p.m. and called upon Mrs. Wilson for her report. Mrs. Wilson entered the following exhibits into the record.

- A. Zone Change Application
- B. Preliminary Development Plan
- C. Photos of the Sign posted
- D. Notice to the Woodford Sun
- E. TRC minutes
- F. TRC letter to engineer
- G. Adjoining property letters
- H. Letter from Frankfort Plant Board

Mrs. Wilson read her staff report into the record. The owner/applicant is requesting a change in zoning of 14.901 gross acres from A-1 (Agricultural) to A-4 (Small Community). The property is located on the northwest side of McCracken Pike (KY 1659) approximately 800 feet (0.15 miles) north of its intersection with Watts Ferry Road (KY 1984), the center point of the Millville Small Community District. Currently this property is vacant agricultural land consisting of steep slopes and wooded areas. There are no dwellings or agricultural accessory structures located on the property. The Intent of the Agricultural Zone (Section 701.1) is as follows: This zone is established to preserve the rural character of the agricultural service area by promoting agriculture and related uses, and by discouraging all forms of urban development except for a limited amount of conditional uses. The purpose of this zone change is to subdivide the property, creating 5 tracts for single family residential use in the Millville Small Community District. The Preamble for the Small Community District is as follows: The purpose of the Small Community District (A-4) is to provide for limited low density residential expansion in rural settlements recognized by the Comprehensive Plan. The communities of Millville, Mortonsville, and Nonesuch, have through their residents, stated their desire to have the benefit of the Small Community Regulations to provide houses in those communities and in order to maintain a continued vitality, property values, and community spirit in those places. Adjoining property to the north is zoned A-1, to the south is A-1, to the east is CO-1, and to the west is A-1. McCracken Pike is classified as a Rural

Minor Collector according to Figure 44 of the 2005 Plan. This road links Versailles to Franklin County. The general soil type for this site is McAfee-Maury-Fairmount which are deep to shallow, well-drained loamy and clayey soils on rolling to hilly uplands. Figure 46 "Soils" indicates that the soils in this area are "Very Limited for Drainage, Septic Systems, and Residential Dwellings." The "Soil Capabilities for Agricultural Use", Figure 47, indicates that the subject property is unclassified. The slopes of the property are classified as Moderate or Steep Sloping (Greater than 12 percent), Figure 48. Figure 49, Drainage Basins Generalized, shows that the property lies in the Glenn's Creek Watershed which consists of more than 21,000 acres. Glenn's Creek, a BlueLine Stream, is located parallel to the property as shown on Figure 50. There are no "National, State or Local Historic Districts" in this area, Figure 51. The Existing Land Use, Figure 56, indicates that the subject property has an existing land use of "Agricultural". The property is located in the Rural Service Area in the Millville Small Community 1½ mile radius. There are not any public wastewater treatment facilities there and public water is provided by the Frankfort Plant Board, Figure 57. Other community facilities include a Fire Station in Millville. The Millville Community Center is contiguous to and south of the subject property. The nearest major Community Park is Falling Springs Recreation Center. Northside Elementary School, Woodford County Middle School and Woodford County High School are the three public schools serving this area, Figure 59.

The proposed development is located within the Small Community of Millville which is recognized by the Comprehensive Plan, and supports the goals and objectives allowing limited low-density residential expansion within an established rural settlement. However, the request is in conflict with the Natural Resource Conservation Goal with regard to conserving and protecting unique natural areas. The small communities are still acknowledged in the text of the Comprehensive Plan and the Zoning Ordinance as noted previously. The Small Community Guidelines #1, #5, #6 do not apply to this request. Guideline #2 regarding concentration of growth to allow for larger tracts of farmland to be preserved would be met with this request. Guideline #4 encourages natural features such as topography, long vistas, and environmental feature be conserved or maintained as open space. It appears that this guideline has been addressed by noting areas of slopes being less than 18% for building sites. However, the remaining area has not been designated as being protected as far as slopes and existing wooded areas. Guideline #7 has not been addressed at this point. Guideline #3 indicates that "new development should complement the existing settlement." Most residential/small community lots are not located on such severe slopes or poor soils. Guideline #8 encourages the review of on-site sanitary sewer systems by both the Health Department and the Commission. This is to "ensure an appropriate placement of the system with regard to steep slope area, floodplains, rock outcroppings and potential sinkholes, and groundwater conditions." The purpose of the Preliminary Plan is to show the arrangement of five small community residential lots ranging in size from 5.103 acres to 1.496 acres, all above the minimum lot size of one acre. No public roads are proposed. These lots meet the minimum dimensional requirements established by Section 704 of the Zoning Ordinance. However Section 704.7 Special Provisions, A (2) requires Health Department approval of individual on-site sewage treatment systems. Only Lots 1 & 5 have been approved under the existing site conditions. Lots 2, 3, & 4 have only been provisionally approved. This has been noted under the Board of Health Certificate signed by the Environmentalist. These 3 lots may have to be modified and re-evaluated prior to recording of a Final Record Plat. The Subdivision Regulations, Article VI, Section 610 (B) state the following: Areas characterized by steep slopes greater than 18%, shall not be subdivided unless adequate safeguards against potential hazards are provided. A geotechnical engineer and a structural engineer shall evaluate the area and specify engineering conditions whereby the area could be buildable. The USGS Quad Map and a topographical map submitted by the applicant for this area indicate that the majority of slopes on this property are in excess of 18% and as high as 45% in some areas. The engineer has attempted to define areas of less than 18% on the Preliminary Plat by a cross-hatched symbol. To date no evaluations have been submitted by geotechnical and structural engineers to show adequate safeguards. However, a note is on the preliminary plat (Note #8) stating: "Before a building permit can be issued a site plan and topographic survey shall be prepared showing contours, slopes and proposed building location. If it is shown that the building location has slopes greater than 18%

then a geotechnical engineer and structural engineer shall evaluate the area and specify conditions whereby the area could be buildable.” A waiver is being requested by the applicant for the open space required by the Subdivision Regulations -Article VI, Section 660 (A). McCracken Pike is a Kentucky State Highway, KY 1659. This road is approximately 20 feet wide and 11.56 miles long, and connects the City of Versailles with Franklin County. The Versailles-Midway-Woodford County Transportation Study (May, 1999) indicates that McCracken Pike had a Level of Service (LOS) of “C” or better. The 2020 future LOS is projected to remain at LOS “C” or better. LOS “C” is defined as, “Stable operations causing some tension for motorists. The ability to maneuver and change lanes in midblock locations is restricted along with noticeable queues at intersections.” Section 704.7(C) stipulates that each lot must have an approved encroachment permit to ensure that entrances can be used safely and efficiently for vehicular ingress and egress. Lot #1 and Lot #5 will be utilizing existing entrances. The Kentucky Transportation Cabinet has approved one entrance from McCracken Pike to be shared by Lots 2 & 3, and they have approved a private entrance for Lot #4. There will be no vehicular access to McCracken Pike from any of the lots except at these four locations. Fire protection is provided by the Woodford County Fire Department from the Millville Fire Station. Police protection is provided by the Versailles Police Department, Sheriff’s Department, and the Kentucky State Police. Verification of availability of public water from the Frankfort Plant Board has been received and states the following: a. The Frankfort Plant Board is able to serve the proposed development. b. A waterline extension will be required to serve the proposed tracts and to provide the required volume. c. A booster station may be required to provide adequate pressure. d. No further comments at this time. E. The Frankfort Plant board reserves the right to modify these comments based on other agency reviews and changes to the plat or plan resulting from required or voluntary revisions. The soils map has the proposed lot layout superimposed on the soil data. The soil data is from the Soil Survey of Jessamine and Woodford Counties, Kentucky, prepared by the USDA Soil Conservation Service (pg 17). Lot 1 consists mostly of MnC -McAfee silt loam, 6 to 12 percent slopes. This soil has medium potential for most urban uses due to depth to limestone, low strength, moderate shrink-swell, and the clayey subsoil. Some of these limitations can be minimized by good design and careful installation. Septic tank absorption fields can be limited due to the depth to limestone bedrock and moderately slow permeability. Lot 2 is about 25% McAfee as noted above and 25% FcE - Fairmount Rock outcrop complex, 12 to 30% slopes. These soils tend to occur on hillsides. There is usually about 11 inches of brown flaggy silty clay soil. The subsoil is about 17 inches and it is a brown flaggy clay. Below 17 inches is hard limestone. The potential is low for most urban uses due to steep slopes and depth to rock. The remaining 50% of Lot #2 is FcF – Fairmount-Rock outcrop complex, 30 to 60% slopes. About 95% of Lots 3 & 4 also consists of this same soil. This is noted as a very steep soil type, occurring on hillsides and bluffs. Rock outcrop covers 35 to 50 percent of the surface area. The make up of the depth of the soil is the same as FcE, just with steeper slopes. The Soil Survey notes that these soils have low potential for nearly all uses but does have some esthetic value. Steep slopes and rock outcrops are the limiting factors. The Legend of the Soils Map (Attachment #6) places this soil in a Capability Class of VIII – “Permanent Vegetation – “Rock outcrops and other extreme features limit use to forest, wildlife, and recreation.” Both Lots 3 & 4 do have a small percentage of FcE- Fairmount Rock outcrop complex on them as well. Lot 5 has about 60% of the FcF soils as well but on the eastern side, adjacent to McCracken Pike, it consists of M1C-Maury Silt loam, 6 to 12 % slopes. This is a deep, well drained soil. It has a medium potential for most urban uses because of slope, clayey subsoil, and low strength. Again, some of these limitations can be overcome by good planning, reshaping and proper installation. The Slopes Map (Figure 48) of the Comprehensive Plan indicates that the land in this area is Moderate & Steep Sloping (Greater than 12 percent). There appear to be no Sinkhole sites or spheres of influence on the subject property based on Figure 45 of the Comprehensive Plan. The applicant has provided a Topographic and Existing Tree Exhibit which is attached hereto. Students from the Millville area attend Northside Elementary, the Middle School and the High School. The former Millville Elementary School is now a public Community Center operated by the Millville Sportsman’s Club. There is a picnic shelter and gymnasium associated with the Center. It appears that some aspects of the request support the proposed zone change being in agreement with portions of the 2005 Plan Update

because of the above noted areas of that plan. The property is in the Rural Service Area; the property lies within the 1½ mile planning radius for the Small Community of Millville; the proposed principal use is single family residential; the site is not in the Agricultural Preservation Area of the county; and, the plan meets the minimum dimensional requirements established by Section 704 of the Zoning Ordinance for the Small Community Zoning District. Issues to note are as follows: the potential conflict with the Woodford Resource Goal; Guidelines 3, 7, & 8; provisional approval of lots 2, 3, & 4 by the Health Department with regard to Site Evaluations; subdivision of land in excess of 18%; and, developing property consisting primarily of Fairmount-Rock outcrop complex and other soils not suitable for urban uses. A waiver of the Subdivision Regulation requiring Open Space needs to be addressed as well.

Mr. Boggs questioned if Mrs. Wilson indicated that if they are building that they have to have an engineer design it because of the slopes? Mrs. Wilson stated that the regulation says that if you are subdividing property in excess of 18% then a structural or geo-technical engineer has to investigate the property.

Mr. Wolf questioned if this is the same property the Planning Commission looked at not long ago? Mrs. Wilson stated that one was on Watts Ferry Road, but it is the same applicant.

Chairman Hume questioned if there is only one entrance to serve all the lots? Mrs. Wilson pointed out that there is an existing entrance and there are also shared entrances.

Mr. Wolf questioned where Watts Ferry is located? Mrs. Wilson pointed it out on the plan and there is a back entrance on that side that goes to Mr. Plemmons farm.

Mr. Bill Moore, attorney representing the applicant, stated that Mr. Thompson is also present and prepared the plat. Mr. Moore stated that he agrees with Mrs. Wilson's report that this farm is not really good for farming. There are very steep slopes that are not usable for much except wooded areas. This property is right in the heart of Millville. Mr. Plemmons is trying to work from the middle out, just as the Zoning Ordinance suggests. The size of the lots he is proposing are similar to the size of the existing lots in Millville. To convert this to residential is a better use since this is not good farmland. There are many people who would like to live on a wooded lot out in the country and this property offers that opportunity. The access being proposed would be off of McCracken Pike and would be a direct access to Lot #5 right down by the old Millville school. The drive that is shown at the opposite end would access the rest of the lots, so there would not be a separate access to each lot. That would preserve the area because of the steep slopes and the appearance from the road would essentially be the same as it is now. The property is very suitable for development and they are aware of the steep slopes. The Subdivision Regulations state that there has to be adequate safeguards in that case, and they have noted that on the plat. There would be no construction on the steep part of the lot unless adequate safeguards are put in place first and there could be no building permits issued until those things have taken place. As far as the issues of the soils for the septic systems, there would have to be further steps taken before approval for the lots to be built on.

Mr. McClees questioned the elevations on the lots and the inclines and was uncertain how you can put a house on something that steep? Mr. Thompson stated that what he did was review the USGS maps and calculated where the slopes were more than 18%. The shaded areas are areas where the slopes are less than 18%. Those have been designated as buildable places on this property. It just so happens that the cross hatched area on Lot 5 is down on the road, but everything else is up on top of the hill. Lot 5 has grass on it now, but in the past it has been tilled and farmed. On top of the hill there are some flat areas in the woods where they could possibly put some houses. Mr. McClees questioned with the elevations how can they constitute a flat area? Mr. Thompson stated that it is not completely flat, but it is less than 18% and it is buildable.

Mr. Parrott questioned if the cross hatched areas are large enough to locate the house and the wastewater treatment? Mr. Thompson stated that they are probably not large enough to handle all of the wastewater treatment system, but the note they have on the plat is that Lots 2, 3, & 4 would have to be modified before they are even approved by the Health Department. Before the lots can even go to record they have to have assurances that those three lots have room on the lots and at the same time they would be evaluating the slopes.

Mr. Moore handed out proposed Findings of Fact to the members.

Mr. Tom Brown, a property owner in Millville, stated that he wanted to present to the Planning Commission excerpts from a Board of Adjustment meeting held January 4, 2009. During that hearing there was a case regarding a Conditional Use Permit to put in an assisted living facility in Versailles and Jim Plemmons spoke to that. "Mr. Plemmons stated that he lives in Millville and is not against the project but wants to know what the on-site retention setup is for the water runoff." "Mr. Plemmons explained that in Millville they have serious flooding issues and have been flooded out twice this year. The State will not let them clean out the creeks and the area is very sensitive to any building that may affect water flow." "Mr. Plemmons questioned if all the downspouts were channeled to a retention area?" "Mr. Plemmons stated that he appreciates what is being said about being better than what was previously approved, but what was previously approved was not good to begin with." Mr. Brown stated that the text indicates that Mr. Plemmons was concerned about runoff. He expressed concern about Millville and steep slopes but he wants to put in houses and more pavement that is contradictory to his testimony. Mr. Brown stated that Mr. Plemmons was very concerned about what was happening in Versailles, but is not concerned with Millville.

Mrs. Nancy Robertson stated that her property backs up to the Plemmons property in Millville, but not the part that he wants to develop. They are very familiar with flooding in this area. Mrs. Robertson presented photographs along McCracken Pike along the part of the property where he wants to put Lots 2, 3, & 4. The photos show the type of land it is and how steep it is and the runoff. There are already problems with runoff that comes off the hill and runs across McCracken Pike. Even with the deep culvert, the water comes off that hill so fast that it overflows and covers the road. There is a house on the right side where the water comes around it down to the creek. There is a stone wall on Lot #5 that is in good shape and they have said nothing about protecting that wall. They are concerned that if they start building on top of that hill and taking out trees that hold some of the moisture that the situation below is only going to get worse. The soil is very thin and is very rocky.

Mr. Jeremy Adams stated that he connects to this property and is very worried since he is down below the Plemmons property that he will get additional runoff and flooding. Mr. Adams stated that he has 3 acres on a hill and there is one clear spot. Mr. Sutherland who lives right below this property has the same concerns.

Mr. Evans questioned if he is saying that if this development gets built that it will put more water on him and his neighbors? Mr. Adams stated that is right and he has a lot of runoff from his own property and if they start moving dirt and rocks around there will be more runoff.

Mr. McClees stated that he was a commercial developer and this is just a preliminary plan. Mr. McClees stated that this can be designed where they will have retention areas that will capture the water. Mr. McClees stated that he understands the concerns, but an engineer can design this to work. Mr. McClees stated that he does have some concerns over some of the elevations. Mr. Boggs questioned if that can really be done? Mr. McClees stated that it can be.

Mr. Parrott questioned if Mr. Adams is saying that the overflow on his property is because of the creek rising, or is it runoff from his own property? Mr. Adams stated that there is some from the creek in the front part of his house, but he gets it from runoff from the hill as well. Mr. Adams stated that he has water running down his property and through his barn. Mrs. Wilson pointed out in the cross hatched areas where the floodplain exists in the front of his property, but he is also talking about sheet flow from the hill.

Mr. Derrick Hughes stated that he lives on the opposite side of proposed Lot 1, which is directly below this development and already has a lot of problems with water runoff from the hillsides. Mr. Hughes stated that he has not even owned his property for two years and he already has 2 inches of silt built up against the side of his house from the runoff from the side of the hill. Mr. Hughes stated that directly above his house above his kitchen window is the farm access road. That is the road they are talking about using for all the new houses. It is a one lane farm road and is typically open from 6:00 am to 6:00 pm. Mr. Hughes stated that there is a lot of noise from the farm equipment, but he has no problem with that because he grew up on a farm. Mr. Hughes stated that he especially is worried about the winter time when the only thing that is separating him is 25' and a thin wooden fence. This is now going to be an access road to people's homes. It is one lane and there is no place to go. Mr. Hughes stated that if you stand on that road, you can actually see into the skylights of his kitchen. There are runoff issues on both sides, a flat gully on one end of his property and the site is on a hill just above his home that will increase the water runoff from what it already is. Mr. Hughes stated that the homes do not meet the 150' of road frontage that is required for a small community off of a county or State road. These homes do not meet that.

Mrs. Wilson stated that each of the lots do meet the requirement. Lot 1 has a flagpole that comes down and goes over on the other side of his home. All of the lots do have road frontage. Mr. Hughes stated that to him road frontage means that you are connected to a road and not to a little strip of land that stretches to the road. Mr. Hughes stated that the other issue is that there is a claim that the land is no good for farming, while someone else said that the land had been tilled and used.

Mrs. Nancy Robertson stated that on Lot #4 it shows an access road available. She questioned if a driveway is put up there within the first 250' there is a gain in elevation and would that not be awfully steep? Would that not make more water runoff McCracken Pike? Mrs. Wilson stated that what Mr. Moore was saying is that they are going to use the driveway behind Mr. Hughes house and access it to get to the lots. Mrs. Robertson questioned if they are going to build a bridge across the gully? Mrs. Wilson stated that the engineer needs to answer that.

Mr. Thompson stated that he understands that Mr. Adams is concerned about runoff onto his property, but putting a house on that particular lot would not affect him because the land is more sloped towards Mr. Sutherland. The runoff Mr. Adams is getting is more than likely from the pastures which are still above him. They will not be increasing any of that runoff and they can engineer the lots to retain the water that they will increase on the lots. They will not aggravate the runoff.

Chairman Hume questioned if they put in a blacktop driveway, if the proposed retention will also capture that water? Mr. Thompson stated that he would have to design the retention to catch and hold the impervious surfaces and any other increase they may cause.

Mr. Boggs questioned if he is saying that when they get through with this development there will be no additional runoff into the stream? Mr. Thompson stated that is correct and they have to do it.

Mrs. Wilson questioned if he would explain the accesses a little better? Mr. Thompson stated that Lot 5 will access on an existing entrance and there is an asphalt entrance there that serves the telephone switch

station and that lot will access that. The stone wall probably will not be disturbed. The other lots will access next to Mr. Hughes house and there will be a private access easement to get to Lots 3 & 4. It is quite severe in that area with steep slopes and a drain that comes off of the farm. It will be challenging, but it can be done.

Mr. McClees stated that he has dealt with Geo-tech's and it can get costly. This looks like it will be a costly project. Mr. Thompson stated that it may be and it may not be done in the next fifteen to twenty years. Mr. Thompson stated that Mr. Plemmons is concerned about security at this end of the farm. This all started with him wanting to build a house for someone who works on the farm who would live at the rear entrance of his farm and give him some type of security. Mr. Plemmons did not want to own the house and property. Mr. McClees questioned if he is talking about the house just before you go up the hill? Mr. Hughes stated that is his house. Mr. Thompson stated that the house that would be built would be on top of the hill and probably would not be seen from the road.

Mr. Wolf questioned if he is saying that if they approve this they still may not be able to build but one house on it? Mr. Thompson stated that they would not be able to build on them anytime soon. There is a note on the plat that says Lots 2, 3, & 4 are going to have to have some kind of private sewage treatment modifications to those lots before they can even pass the site evaluations. That modification might be bringing in topsoil and letting it sit there for a couple of years. That has to be done before the lots can be platted and sold. Mr. McClees stated that he has had to do that a couple of times where he had to put in a holding tank with an alarm system on it. Mr. Thompson stated that could be a solution, but they have to make something work before they will offer a lot for sale.

Mr. Parrott questioned if the Glenn's Creek drainage basin goes all the way to Versailles? Mrs. Wilson stated that it starts in Versailles behind the Courthouse. Mr. Parrott stated that in reality then anything between Versailles and there is going to have an affect on it. Has any considerations been taken on any other things that have been built? Mr. Parrott stated that he has noticed a lot of large homes built along that road.

Mr. McClees stated that when Labrot & Graham was put back operation there were times when there was 5' of water in the building. Mr. Thompson stated that flash floods are quite severe in that area, but that is not going to happen on top of the hill and they will retain whatever they increase.

Mr. Tom Brown stated that he understands retention basins are usually designed for 10 to 100 year rains. He was uncertain what the design criteria are. Mr. Thompson stated that they have to check for four storms and the County Engineer has established that criteria over the last few years and in the last year they have been approved. They have parameters that they have to use to cover those large storms. Mr. Brown stated that there was one event where they had 10 inches of rain in one day and he questioned if the basins are designed for that? Mr. Thompson stated that could have been a 100 year storm and they do those calculations. Mrs. Wilson stated that could have been a 500 year storm. Mr. Brown stated that he agrees that the water will come off, but it is the rate at which it comes off that is the concern.

Chairman Hume closed the hearing at 7:20 p.m.

Mr. McClees questioned if they have 90 days to take action? Chairman Hume stated that they do. Mr. McClees stated that he would make a motion that they not make a decision for 60 to 90 days. Mrs. Wilson stated that a motion is not required.

Mr. Butler stated if the Planning Commission wants to take immediate action they have to waive the By-laws. If they do not want to take action they do not have to do anything. This will appear on the agenda until the Planning Commission takes action.

Mr. McClees stated that he does not want to act on it for 90 days because there is a lot going on with holidays coming up. Chairman Hume stated that they will put it on the March agenda.

Mr. Butler stated that it will stay on the agenda and the Planning Commission may or may not take action. Mr. Wells questioned if they may vote on it in January without waiving the By-laws because they are only waiving the 14 day rule? Mrs. Wilson stated that is correct.

Consolidation Plat – Central Kentucky Veterinary Holdings, Ltd. – 412 and 416 Lexington Rd – B-4 District.

Mrs. Wilson stated that this is a minor plat and could have been forwarded to the Chairman for signature. Mr. Thompson has the next item on the agenda, which is the Development Plan for this same property and he did not mind them both on this agenda. This joins the two lots together so that they can add on to the existing vet clinic. This was reviewed by the TRC and all the deficiencies have been addressed.

Mr. Thompson explained that Mr. Keith purchased the lot and building next door and is going to tear that building down and expand his existing building. In order to do that the lots need to be consolidated first.

A motion was made by Mr. Wolf, as seconded by Mr. McClees, to approve the Consolidation Plat – Central Kentucky Veterinary Holdings Ltd. – 412 and 416 Lexington Rd. – B-4 district. The motion carried with eight (8) aye votes. VOTING IN FAVOR: Jim Boggs, Joel Evans, Jim Hume, Ed McClees, Tim Parrott, Brian Traugott, Chad Wells, J.D. Wolf.

Final Development Plan – Central Kentucky Veterinary Holdings Ltd, 412 and 416 Lexington Rd. – B-4 District.

A motion was made by Mr. Wolf, as seconded by Mr. McClees, to approve the Final Development Plan – Central Kentucky veterinary Holdings, Ltd. - 412 and 416 Lexington Rd. – B-4 District. The motion carried with eight (8) aye votes. VOTING IN FAVOR: Jim Boggs, Joel Evans, Jim Hume, Ed McClees, Tim Parrott, Brian Traugott, Chad Wells, J.D. Wolf.

Financial Report & Bills for Approval, Monthly Budget Report, Report to Commission, & Bond Status Report

Mr. Wells stated that he has a question on Bills for Approval where a bill is listed for Tichenor & Associates for the audit. He questioned if that will include them coming back for a presentation? Chairman Hume stated that it does and they will be getting to that.

Mr. McClees stated that on the blue sheet salaries are listed as gross salaries and then there is insurance and Commission and other board members and it does not add up. Mrs. Wilson stated that those are just separate items and they are not to be added for a total. Mr. McClees stated that on the green sheet it lists salaries and that does not add up. Mrs. Conley stated those are net figures. Mrs. Wilson stated that is what the checks are actually written for. Mr. McClees stated that he is fine with that.

Mrs. Wilson stated that there are no bonds coming due and all CD's have rolled over. Mr. McClees questioned what is going on with Hunters Ridge, Unit 6B? Mrs. Wilson stated that Mr. Smith told her there is a contractor that was hired to do some things and they have not completed the work. Mr. McClees questioned if they can close on their CD? Mrs. Wilson stated that the information was forwarded to the Fiscal Court to do that. Mr. Butler stated that the Planning Commission does not hold the bond and can only recommend to the legislative bodies.

A motion was made by Mr. Wells, as seconded by Mr. Evans, to accept the monthly reports as written. The motion carried with eight (8) aye votes. VOTING IN FAVOR: Jim Boggs, Joel Evans, Jim Hume, Ed McClees, Tim Parrott, Brian Traugott, Chad Wells, J.D. Wolf.

Audit Report

Chairman Hume stated that everyone was given the Audit Report and associated letter. To answer Mr. Well's question he felt that they should request that the auditor come to the January meeting and present the budget in case anyone has questions.

Also in January there will be election of officers and election of committees.

Mr. Butler stated that he and Mrs. Wilson have discussed him submitting a quarterly report to update the Planning Commission on what is going on in pending litigation. If there are specific questions it would require going into executive session. Mr. Butler stated that he can get that together, if the members want it. Chairman Hume felt it was a good idea. Mr. Butler questioned if they would like him to do that in January. All members thought it was a good idea. Mr. Butler stated that mainly the cases going on now are Board of Adjustment.

Mr. Wells stated that he has not been served since coming on the Planning Commission in late 2007. He questioned if they have been sued? Mr. Butler stated that they have not. It used to be that the Sheriff would come to the meeting and hand out the summons at the meeting. It became a problem and the Planning Commission voted to have Mrs. Wilson served on behalf of the Commission and then she distributes it to the members.

Mrs. Wilson pointed out a matrix she made up for the members to use when they are electing committee members next month.

Mrs. Wilson questioned if the Comprehensive Plan committee is going to meet next month or wait until the elections are held for committees. Chairman Hume stated they should have elections first and the members all agreed.

A motion was made by Mr. Traugott, as seconded by Mr. Wolf, to adjourn the meeting at 7:40 p.m. The motion carried with eight (8) aye votes. VOTING IN FAVOR: Jim Boggs, Joel Evans, Jim Hume, Ed McClees, Tim Parrott, Brian Traugott, Chad Wells, J.D. Wolf.

Jim Hume, Chairman
JH;pc