

Henderson City-County  
Planning Commission  
June 6, 2023

The Henderson City-County Planning Commission held a meeting June 6, 2023 at 6:00 p.m., at the Henderson Municipal Center, 222 First Street, Third Floor Assembly Room, Henderson, Kentucky. Members present: Chairman David Dixon, Vice-Chairman Kevin Richard, Gary Gibson, Bobbie Jarrett, Gray Hodge, Stacy Denton X.R. Royster, Frank Boyett, Heather Toews and Tommy Joe Fridy. Staff present: Director Brian Bishop, Jennifer Marks Theresa Curtis, Heather Lauderdale and Chris Raymer. Kevin Herron and Dickie Johnson were absent.

***MEETING BEGAN AT 6:00 PM***

Chairman Dixon: I would like to call this June 6, 2023 meeting of the Henderson City-County Planning Commission to order.

I would like to welcome everybody for coming, we thank you for coming, we appreciate your help with everything we do.

I especially want to welcome a new Planning Commission member; Commissioner Heather Toews. Thank you for joining us to serve, we appreciate it.

Heather Toews: Thank you.

(Applause)

Mac Arnold: Just wait until you find out all the committees we're going to put you on. (Laughter)

Heather Toews: It's all good, I'm ready.

Chairman Dixon: One technical note that we might note is that we have new microphones with us this evening. I'm told they're super-sensitive, so, take that as you will.

One other notes, I'm told there might be folks here who are interested in a Jimmy John's rezoning project on 41 North; that application has been withdrawn and will not be considered tonight. We do expect that it may be returned or re-submitted in the near future. So, if you're here for that project, I just want to make you aware.

Very good, Madame Secretary, could you call the roll?

Heather Lauderdale: Yes, thank you.

Chairman Dixon: Do we have a quorum?

Heather Lauderdale: We do.

Chairman Dixon: Thank you very much. We've got several items on the public hearing agenda; I'll entertain a motion to go into public hearing.

***MOTION WAS MADE BY MAC ARNOLD, SECONDED BY KEVIN RICHARD TO GO INTO PUBLIC HEARING.***

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

All in favor of entering public hearing say aye.

***AYE: ALL***

Chairman Dixon: Any opposed? Very good, we're in public hearing.

The first item is the approval of the **minutes from the May 2, 2023 meeting**; I'll entertain a motion to approve as submitted.

***MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY KEVIN RICHARD TO APPROVE THE MINUTES FROM MAY 2, 2023 AS SUBMITTED.***

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

All in favor of entering public hearing say aye.

***AYE: ALL***

Chairman Dixon: Any opposed? Thank you, the minutes have been approved.

The next item is the **2023-24 Fiscal Year Budget**; Mr. Bishop?

Brian Bishop: You guys may get a bit of a sticker shock; the budget is up a little bit. It is up to \$800,000 from \$761,902, which is an increase of roughly five percent (5%). The majority of this is going to be due to personnel cost. As you guys know, Theresa is going to retire and we're going to hire her successor for an overlap of two (2) months so, we will have a double payment of the employees for two (2) months while Theresa is helping train the new employee.

In addition to that, I have plugged some numbers in there for Chris, Heather and Jennifer to get raises because we are going to re-assign some duties that Theresa would typically do to those positions.

We feel like it would be unfair for the new person to be thrown into the fire and learn everything Theresa has done over the last twenty (20) years in two (2) months. So, I have budgeted slight increases for them above the cost-of-living raises.

So, to do that we offset a number of other line items and I won't bore you with all of them but you're going to see some decreases in things like our capital outlay, our travel budget, insurance cost, professional services and things of that nature.

So, I don't want to bore you with numbers and details unless you have specific questions. Are there any issues or any line items you would like for us to address specifically?

Chairman Dixon: Any questions for staff as to the budget?

Does anyone in the audience have any questions about the budget? The increase in health insurance...would this be related to the personnel changes as well?

Brian Bishop: Do you care to address that?

Theresa Curtis: Yes. We added the single plan for the new; Jessa, when she starts and then in the past year, we had a couple; Heather's husband retired and she has qualified to get the couple's plan. So, between that and the increase in the health insurance; they increased theirs by 6.5% of their premium. So, with that we have extra into that.

Chairman Dixon: Okay, thank you.

Does anyone else on the commission have any questions, comments or concerns they would like to bring forward?

Gray Hodge: A quick question. Brian, a lot of the expenses are small reductions but are those realistic or are do they reflect prior years' expenses?

Brian Bishop: We hope to do that. So, typically when we see a reduction, we will use a 3–5-year average of a line item and then calculate that accordingly.

If we see that a line item is trending a certain way with a five (5) year average, we'll reduce it down to that average.

Chairman Dixon: Good. Any other questions?

I'll entertain a motion in regard to the 2023-2024 Fiscal Year Budget.

***MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY FRANK BOYETT TO APPROVE THE 2023-2024 FISCAL YEAR BUDGET.***

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

Madame Secretary, please call the roll.

***AYE: ALL***

Chairman Dixon: Very good, thank you. The budget passes as submitted.

The next item is a **proposed amendment to the County Zoning Ordinance**, Mr. Bishop?

Brian Bishop: Yes sir.

This would update Article XX, Light Industrial District, Section 20.03 listing of Conditional Uses in addition to an update of Article XXX, Solar Energy Systems which we will call SES's sometimes in the ordinance. Section 30.01 Design Standards and Section 30.02 Requirements.

Some of the red strike-through's you'll notice in the proposed language is a clean-up of some grammar and wording things a little better but the three (3) main items to take away from the updated ordinance would be that solar farms, as we call them typically, would no longer be allowed in an Agricultural zone. Those would be moved only to the Light and Heavy Industry zones as conditional uses.

They would still meet the requirements of the site plans that come to the Planning Commission so, in conjunction with that they would now have a rezoning for industrial and a conditional use permit.

We reduced the number of solar systems or SES's from three (3) to two (2). So, they would typically fall into two categories. A large, commercial grade, which would be Level 2 and Level 1 would be a more personal...like personal/business-type use. So, we really distinguish between the two.

The other main items to pay attention to would be the surety bond for the de-commissioning was doubled from one-percent (1%) to two-percent (2%) largely due to the cost of inflation which effects everything that we do.

Again, I don't want to bore you with details; are there specific questions you would like for us to answer regarding the text?

Chairman Dixon: What happened to the third category?

Brian Bishop: We kind of absorbed that into the Level 2 because before, you could have up to ten (10) acres in the industrial zone and you wouldn't have to do a rezoning or a conditional use permit; that has now been absorbed into the Level 2 which is more of the commercial-grade solar farms.

Chairman Dixon: What is the intent of this amendment?

Brian Bishop: The intent was that we were requested by the Fiscal Court to basically respond to the large amount of farmland being taken out of production to solar farms so, the intent is to protect the integrity of agricultural land in the county.

Chairman Dixon: This would add a significant, new step correct?

Brian Bishop: In a sense. So, we treat site plans as a rezoning now meaning that we send out letters to all the property adjoiners to let them know what's going on but they are not in a legal, rezoning hearing at that point.

So, at this point we would add that process and a conditional use which would go to the county's Board of Zoning Adjustments.

Chairman Dixon: Counselor, have you had a chance to review this?

Tommy Joe Fridy: Just on my own, I was not asked to review it.

Chairman Dixon: Okay....

Brian Bishop: I need to add to that; the reason why T.J. was not asked to do that is because this was the county's ordinance, reviewed by their attorney, not the Planning Commission's attorney.

Chairman Dixon: So, we're being asked to conduct a public hearing on this, make a recommendation where it goes back to Fiscal Court?

Brian Bishop: Correct.

Chairman Dixon: I think they need two (2) readings up there...

Brian Bishop: That would be correct, yes sir.

Chairman Dixon: So, we're at the beginning of this amendment process?

Brian Bishop: Correct.

Chairman Dixon: Any questions for staff from the commission?

Would anyone in the audience like to speak in favor of this...

Excuse me...

Brian Bishop: Will you come to the mic please?

Chairman Dixon: You need to come to the microphone, please.

Excuse me, ma'am. I need your name. No, please, we need to record this.

Mary Clary: Mary Clary.

Chairman Dixon: And your address?

Mary Clary: 5846 Hwy 1299.

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

Mary Clary: Yes sir.

Chairman Dixon: Thank you, ma'am, please go ahead

Mary Clary: So, I have a question. So, this new ordinance, will this be on new solar farms moving forward? You know, we have one that's been in progress for the last three (3) or four (4) years. So, will that eliminate that and this will be new ones coming to the community?

Brian Bishop: This would be for new ones coming in.

The other ones that have submitted under the previous text would not be affected unless they do not get their building permit, their de-commissioning plan within one (1) year of the site plan approval.

Mary Clary: So, what is going, I mean I think we're in the process...we've been, you know...

Brian Bishop: Basically, a one (1) year time clock started for when your site plan...

Mary Clary: Okay.

Chairman Dixon: Perhaps we're getting confused with the next item on the agenda?

Brian Bishop: I think it was a related question.

Chairman Dixon: Okay.

Does anyone have any questions about this or would like to speak in favor of this amendment?

(From Audience: Could you please speak into the microphone? I know I'm getting older but I literally cannot hear you.)

Chairman Dixon: I'm sorry, I can relate.

Would anyone else like to speak in favor of this ordinance or have questions? Anyone here to speak in opposition of this amendment?

Yes sir?

Michael Walker: I talked to you yesterday. That's just for the board members.

Brian Bishop: Would you like this entered into the record?

Michael Walker: Yeah, yeah but it's just that they probably don't need to know my personal business like that. You know? This way we know where we going. **(MICHAEL WALKER INTRODUCED EXHIBIT "A", CONTAINING A LETTER)**



I live on Highway 1299.

Chairman Dixon: Your name, sir?

Michael Walker: Michael Ray Walker.

Chairman Dixon: Do you have the address?

Heather Lauderdale: No.

Chairman Dixon: Your address, sir?

Michael Walker: 7263 Hwy 1299.

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

Michael Walker: Huh?

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

Michael Walker: Yes.

Chairman Dixon: Thank you sir, please proceed.

Michael Walker: Right across the street from me, matter of fact 110' across from me is a 100-acre field; I mean, completely surrounded and here I've put all this money into the house and I've got over 11 acres and this company; they come in the house, I brought the girls in, took them through the house and they said, My God, you've got this house tore up. I said, I'm re-doing it because the day will come, at my age, that we'll have to sell.

I had an appraisal run and if you look on the paper, you'll read it and you'll see the total amount was because I bought next door; I bought six acres next door. Anyway, I was told if I don't get this place sold before they get there, I could very easily lose money. I'm not the only one and I'm not advocating for them not to be able to come here but I'm asking y'all to put some strong restrictions on them and rules and if they don't

want to play by our rules, the people of this county, then let them stay where they're at.

I told them, I said, you know, I'm not saying not to come here but they have to be responsible people too. I find it funny that you've got all these other companies now wanting to come in here; why? Because what, are they going, let's go up to Henderson County, the rules are real easy, we'll get this stuff in there and be out of here and possibly sell everything out within a couple of years.

I mean, y'all have to think about this. There will and can be people...okay, like my house. This house, front to back, top to bottom, inside and out, every aspect is brand new; money flowing like water down there and I'm 110' and yeah, the farmers when they farm, I might wash the house down, you know, twice a year. Can you imagine bulldozers and stuff 110' from me? I mean, I made the company an offer and I told them flat out, here's what I'll take. It's on that paper, here's what I'll take. I give them my attorney's card and I said, if you don't write me a check, I'll promise you we will be in court and I said it will be a jury trial and I said you're going to find out you're going to have a hard time getting a jury together with people that don't know me.

I was a Fire Lieutenant off Henderson Fire Department; I've been a contractor all these years just like you. Everybody and their brother's son knows me, everybody and their brother's son knows you and I mean...anyway, they tried to say, oh well it's a tourist attraction. I said then why don't you keep it down in Florida, I said there's plenty of sun and you've got millions of people coming in there, I said maybe you can get Mickey Mouse to take and charge to run through and see the solar fields. I said I'm not trying to be smart, I said but, you know, I said I'm not putting all this money in here just to throw it away and if you read on that paper, when the appraisal was run I was told, of course ain't nobody gonna write it down but I was told and said, if you don't get this place sold it could cost you up to this amount.

I don't know about you, maybe you can but not everybody can afford to lose that kind of money. Let them come on but put the rules and regulations on them.

The old boys that was down there working, doing all the surveying and all the stuff that they've been building up, you know they've been down there for a few years. Well, there's really nowhere to go down there and get drinks and stuff like that; well, me and my wife we would take and give them Cokes and fix them sandwiches and stuff and them old boys would sit on my front step and said, cause a lot of them were from up in the northeast, and they said up north like Massachusetts and stuff that nobody wants to live around them and people have trouble selling their houses. All I've got to go on is what these boys told me, wasn't anybody bulling me, I mean they was telling me the truth of it. I mean, have y'all asked yourself why all of a sudden do we have all these companies wanting to come here? Why are all these solar companies wanting to come here all of a sudden? Would you not agree there's more sun and it can generate more electricity in Florida than Henderson? You know it can and I know it can. I mean, all I'm asking is re-think this and go back and make the rulings stronger and whatever.

Just like down there, I know there's a house down there right up from me probably 1500 ft. or 2000 ft. up on a hill; I know for a fact these people give \$370,000 for that house. Well, who's got my paper, which one of you? Mac, do you have the paper?

Mac Arnold: Yes.

Michael Walker: Would you like to lose that much?

Mac Arnold: No.

Michael Walker: No, no; but there's no way to prove it. What do you do? Do you wait till the minute? Them people give \$370,000 for that house, they're sitting up on top of a hill and they're going to be looking at a sea; I invite any of you to come to my house, I'll fix you a whiskey

and Coke and you can sit on my front porch and you look at that 100-acre field and you tell me and you'll be going, my God, how many thousands of solar cells are going to be on just this one piece? And then they're all over here and go around a curve and there's an old boy up there, his house is pretty new; just built a new pole barn and stuff and by God I'll bet it's coming 200' from that new house; and they're younger. What are they going to have to do? Spend a lifetime there because nobody wants to come there?

I mean, when I saw that old farmhouse down there and all that ground, if I had any idea I couldn't have drove fast enough to 416. I mean, y'all have got it within your ability to take and make things stronger. What could anybody say? I mean, to top it all of; have you ever heard of companies coming to a place and they don't want to own nothing? They're basically renting the ground and I'll bet you the solar panels, I'll bet they're gonna be on a lease.

So, these boys here are going to get up and move out of town in nothing flat and they got to answer nobody for nothing. You mark my word; they'll sell this stuff in a couple of years and be gone. Right now, they're itching for Uncle Sam to dole out all this money and like I said, I'm not saying don't let them come but make it stronger. Make it to where by God, okay like down there where I'm at; have it to where if anybody lives, let say within 2500', that's roughly a half a mile or even cut it down to 1/3 of a mile but if you're that close that this company, if there's going to be a loss they've got to at least make up and you seen what I told them I'd take. It's less than what I told I would lose, right? I said, I'm trying to get along with you and like I told them, I said, if you come back up here, I said, rent you a couple of Greyhound busses and put you about 100 attorney's on there and bring them up with you cause I said, I don't need but one. I said, you're gonna find out, you're in Kentucky, we're not in Florida no more.

So, I mean, this is just...what you told me yesterday, is that general knowledge? I mean, can I...

Brian Bishop: Which part?

Michael Walker: The five.

Brian Bishop: The five?

Michael Walker: Five companies more?

Brian Bishop: Uh, I don't know about five companies. We were told by our County Codes Administrator that there is another company looking in addition to the three...

Michael Walker: But you do have other companies wanting to come here. Why all of a sudden are they wanting to come here? They want to come here because... I don't mean anybody is stupid, I don't mean that at all but they're hoping to slick it past everybody before anybody realizes what's happening.

Just like them boys that told me like up in Massachusetts and stuff, they said man, you couldn't pay nobody to live by this stuff.

I mean, you think about 1,450...1500 acres. That's a lot of ground. When I sit on my front porch, I swear to God I can look straight ahead for three (3) miles and I can't even fathom the amount of panels that's gonna be in there.

So, they should be held to a high standard and if they don't like it, put it down in Florida. Go somewhere else. I mean, if you've got other companies; once they get one or two in here there will be more. I promise you, there will be. And they're gonna do whatever they can do. I mean, how are you gonna hold em to it? If they don't anything, how are you gonna...are you making them bond? Are you making them put up bond?

Brian Bishop: Yes.

Michael Walker: I mean, I just don't understand if they was to sell out and another company buys it, can you take and initiate the agreement with that first company; can you hold them to it and make them do it? Because if they go, we're not doing it, take us to court. What are you gonna do?

I mean, all I'm asking, hey, I'm 70 years old, I can't lose that kind of...well, I can but I'm not going to lose that kind of money but we'll go to court and we'll find out if I have to lose it or not.

But all I'm asking is just make these rules more stringent and just, you know, don't let them just walk in here and do whatever they want to do. I mean, come out to my house, sit down on my porch and look and that's just 100-acre field. I mean, have any of you drove out around this area with all this stuff? I know you know what a lot of acres are but have any of you drove out to where it's at to just realize how far this is going to go. I mean, I'm lucky they ain't behind me. I'm lucky I have 11 plus acres but you know, hey, I don't want to be there until I'm 80 and then kill over and they have to bury my butt in the ground cause they can't get nobody to take my place even though it's brand new, I mean, this ain't right. And if the other companies come in here and they go other parts of this county, you know, you could possibly have people that could go bankrupt.

What about that one I just told you; \$370,000? What if they need to sell and they have to take such a big loss and just can't do it? It could cause somebody to go bankrupt like that. This company, they don't care. I mean, them girls, I liked them when they come in my house but when they told me it was like a tourist attraction, I knew right then, I said, oh Lord. You know? I mean, they was willing to tell you anything just to get you to....they was real surprised when I said I'm not saying for you not to come here but you have to have rules just like we do.

That's all I'm asking. Please re-think this, make the rules more stringent. The only thing they can do is just get mad and just go; we're

not coming. I mean, you can't be gaining that much. The farmers are already paying taxes, I mean, where are we going to show any benefits off of it? That part I ain't figured out. Are you gonna tax the solar panels? Will they be taxed?

Brian Bishop: We can't address that.

Michael Walker: I'm just getting at, I just don't understand how these solar farms are going to create any more money to this county, cause you can bet...I bet you all of it total, the one on this side of 416 and one on the other; I bet it won't create ten (10) jobs. You know, two men can cover a lot of ground and I mean, it just can't be. They just can't come in here and do what they want to do and I know as well as I'm standing here probably I'm going to wind up in court but they got the right boy here because I will take them to court. I mean, so help me God if I gotta sell everything I own, I will take it to court. They're not going to come in here and just ride roughshod on me and I'm just...y'all's first obligation is to the people of this county. I'm not trying to be smart, okay? I'm just talking, sometimes I might say things not the right way but, you know, your obligation is to see that the people of this county are taken care of, not some company. At least if you're a company, you know, you got the paper mill coming in out there, they're putting a lot of money out there. You know, they're going to be here for a long, long time.

I mean, these boy's, what kind of money are they putting in here? They can't be putting much, you know? If you want to take and be here for a long time, why wouldn't they buy they land? They don't want to buy the land; they don't want anything.

So, I mean, that's all I got to say. Can I get that paper?

Brian Bishop: It's been entered into the record; we have to keep it.

Michael Walker: But it's just for them, right?

Brian Bishop: Correct.

Michael Walker: Okay, alright. It's not public, right? You know, nobody needs to know my finance.

Chairman Dixon: It is a public record we're creating, is it not?

Brian Bishop: It is but I think what he means is we're not going to pass it out.

Michael Walker: Yeah.

Brian Bishop: Now be aware, if someone comes in and does a Freedom of Information Act request of the process or the appeals...

Michael Walker: Well, it's not that I really care about it, it's just that there's people that tend to get into people's business that don't need to.

Tommy Joe Fridy: It will be in the minutes.

Michael Walker: Okay, alright. Alright, I appreciate you listening to me rant and rave and please give us some consideration and just take care of the people of this county cause you just need to come out there and just take a look, just take a look and see how far this thing goes. I mean, it's going to be outrageous.

Okay, I'll give you another example. The farmer that owns the land across from me and we're friends, or was; anyway, the guys was pulling up posts and taking down wires and putting up new posts and I said, what are y'all doing? They said, all I can say is a person's got to raise a lot of corn to pay for this. I said, what do you mean, I said this company? They said no, it's the farmer having all this stuff moved. See? They done talked that farmer into taking down all them posts and moving wires. So, I mean, if they're going to lease the field for 40 years, looks like they would take it down. It's just things like that that's got me thinking a lot. Are these people on the up and up and are they going to do what they say they're gonna do and I'm willing to be they're not. Thank you.



Chairman Dixon: Anybody on the commission have any questions for this gentleman?

Thank you, sir. Thank you.

Would anyone else like to address these proposed change in the ordinance?

Yes ma'am?

Your name, please?

Victoria Hust: Victoria Hust.

Chairman Dixon: Your address?

Victoria Hust: 9798 Hwy 416 W, Robards.

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

Victoria Hust: Indeed, I do.

Chairman Dixon: Thank you, please proceed.

Victoria Hust: Thank you.

I just wanted to address some of the points that were raised by the previous speaker who seemed to leave an impression, I think, that solar companies are coming in and riding roughshod over the county rather than interacting with some county residents in order to get contracts for the use of their land and that's quite a different picture.

I think those of us with agricultural land have long been aware that sometimes people in neighboring houses might have opinions about the activities conducted on agricultural lands and the inconveniences that they might feel as a result of those activities whether that might be livestock or other kinds of farming that create, you know, dust or herbicides being sprayed or something like that and the agricultural land

itself is not without inflicting those inconveniences on they people who live around it.

Those of us to do own land in the county and who have signed contracts or who have been approached to sign contracts with the solar company have done so only after at least, I can speak for myself, having investigated the issues quite thoroughly and having had a lot of questions and issues discussed and resolved rather than just closing our eyes and signing a contract.

So, if they're going to use our land it is because we, as landowners, have agreed to let them use that land under certain circumstances with the understanding that these contracts are very long term and so we're reviewing the contracts not with just an eye to the immediate impact but thinking, for those of us around 70 which I also am, something that we are imposing on our children who will be dealing with this in the future. We've been quite careful about thinking through the process.

So, I think that while I don't disagree that it's a good idea for county officials to be knowledgeable about the process, I think that there are quite a few of us who have signed contracts who have engaged thoroughly in the process and feel very well satisfied that our interest as land owners are being preserved and that the project will bring a lot of benefit to us as landowners as well as to other residents of the county in terms of the clean energy that's going to be produced because energy infrastructure and production has its impacts on all of us who live around various fossil fuel plants and for those of us who don't even live round them but have to live on planet Earth and are aware of the impact that the use of fossil fuels have had on the climate.

So, I just want to make sure that we have both sides of the story. There are county residents who have engaged in this process and decided to allow our land to be used under contracts, or at least not used yet maybe but have signed contracts and are aware of the implication. While we're not insensitive to the views of our neighbors, who maybe have decided

not to participate; we live in these area's too. Our residences are there and we understand that there will be solar panels established and don't feel the establishment of a solar farm is going to inflict damage on our residences or our ability to enjoy the countryside.

Thank you.

Chairman Dixon: Thank you, ma'am. Does anyone have any questions? Thank you very much.

Victoria Hust: Thank you.

Chairman Dixon: Would anyone like to speak to this proposed amendment to the County Ordinance, which already exists. We proposing a change and I think this makes the ordinance a little more stringent, does it not?

Brian Bishop: It does, sir.

Chairman Dixon: Thank you.

Sir, your name?

Jason Andrews: Jason Andrews. 700 Universal Boulevard, Juno Beach, Florida.

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

Jason Andrews: I do, yes is do. I'm happy and willing to address those comments; if you want to wait during my time or I can address them now.

Brian Bishop: Mr. Andrews will be presenting for the site plan application that is later in the meeting.

Chairman Dixon: Are your comments relevant to the proposed amendment to the County Ordinance?

Jason Andrews: No, they're not. I just wanted to be sure I addressed the gentleman's comments.

Chairman Dixon: Maybe we should deal with that first if that's okay?

Jason Andrews: Yes sir.

Chairman Dixon: We'll get back to you.

Jason Andrews: Yes sir.

Chairman Dixon: I hope everyone understands we've got two different things going here.

Would you like to explain what this amendment does to the County Ordinance?

Brian Bishop: This strengthens an already existing Solar Ordinance; SES (Solar Energy System Ordinance) which I believe, if I'm correct, was passed in 2019. So, this reinforces what's already existing.

So, before solar farms were allowed in the agricultural and industrial zones. The proposed text would only allow them in the industrial zones; is the really, quick way to explain it.

Chairman Dixon: So, someone would have to seek a rezoning, another step, or at least significant step to go from agricultural use to a solar farm, correct?

Brian Bishop: Correct.

Chairman Dixon: That's what we're talking about at the moment.

Anyone like to address that issue? Does anybody have questions regarding this issue? I know it gets kind of complicated.

Sir? Your name, sir?

James Hester: James Ford Hester.

Chairman Dixon: Your address?

James Hester: 9136 Thomason Road, Robards, Kentucky.

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

James Hester: I do.

Chairman Dixon: Thank you, please proceed.

James Hester: I'll be brief. The only question I have is, is the solar company willing to work with all of us as in the electric companies? Kenergy, KU, the oil companies and the gas company? Are they willing to work together or you know? That's my only question.

Chairman Dixon: Very good. Do we have anyone here perhaps that can address that question?

Brian Bishop: Mr. Chairman? I think we should probably proceed cautiously there because there are multiple solar companies involved. That's a very relevant question but a very hard one to answer.

Could you be a little more specific on what you mean? For example, offsetting of utility bills; is that what you're referring to?

James Hester: No. What I'm referring to is the transmission lines; are they going to use Kenergy's transmission lines? Is everyone going to work together?

Jennifer Marks: Like Brian mentioned, I think that is a really good question, however we don't have all of the solar companies here today. I'm sure Mr. Andrews might be able to address that when it is his presentation later but for the other ones that are interested in coming to Henderson, we wouldn't be able to answer that; who they're partnering with.

Brian Bishop: Is it an easy....I'm trying to boil it down so I understand your question better; is the root of your question are they going to use existing infrastructure?

James Hester: I just want to know if they're all going to work together with all of us? That's all I want to know.

Brian Bishop: We'll try to get you an answer.

James Hester: Thank you.

Chairman Dixon: Would anyone like to contribute to this discussion?

I want to make sure everyone has an opportunity.

Your name sir?

Nick Womack: Nick Womack; Nicholas Womack.

Chairman Dixon: Your address?

Nick Womack: 6572 Adams Lane.

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

Nick Womack: Yes sir.

Chairman Dixon: Thank you.

Nick Womack: I'm actually a little different here. I'm an advocate of my own, personal solar. I have a system at my house that today made over 115 kilowatts but it's my own personal one.

I've obtained a document from Christian County's ordinance as we're talking about these boundary lines and setbacks and things. I'm also a very big advocate for agriculture in this county. We've got a beautiful county. Agricultural is the biggest business in Henderson County, none of y'all can disagree with that. Pratt and all of them, we're bigger combined.

In Christian County, and y'all are very familiar with that, just a few counties away. I'm going to read verbatim;

“Adjacent property owner for Fiscal Court has granted a deviation of 2,000 feet. Any residence, building or structure or, I can’t pronounce these words but they are 2,000 feet existing at the time of the application for permits with the Kentucky Electric Generation and Transmission Siting Board.

Schools, 2,000 feet; Churches, 2,000 feet; Hospitals, 2,000; Nursing Facilities, 2,000 feet; Right of Ways for any publicly dedicated or maintained roadway or railway, 2,000 feet; Cemeteries, 2,000 feet.”

As I said, I have my own solar panels; I’m an advocate of solar. In this county, we have approximately 25,000 acres of strip-mined ground that was used for energy, can be used for energy again. I don’t understand why we’re not using that. A lot of it has south-facing hills which is where you get your direct sunlight.

I feel like, and to Brian and them....yes, they beefed up some terminology, some wording and some text and thank you, very much. I think it could be stronger. Our neighbors are doing the same thing; neighboring counties. I’m not against necessarily solar but our production is not near what it could be in other places in the country.

As we know, the grid goes both ways. I made more power than what I consume in my house. So, guess what, my neighbors meter runs a little slower. That’s how it works. So, when you put more solar panels out there, it doesn’t matter if it’s on a mountain out in Arizona, it’s going to slow that grid down a little bit, it’s going to give it a little more capacity.

To finish the 2,000 feet thing, I think it could be a lot better. You guys are here to protect adjacent landowners. Landowners that have committed or signed contracts, more power to you. They’re protecting themselves, right? Fair enough. But this organization is put together to protect the adjacent landowners and I think more stringent would be better. This is a step to be better but I think y’all really need to take a look at being a little bit more stringent.

Brian Bishop: Mr. Chairman, can I address a couple of Mr. Womack's comments?

Chairman Dixon: Sure.

Brian Bishop: Let me address the surface mining first. So, that is actually a very good point and that is under consideration. There is a separate company who is looking to locate on that property. So, that is under way.

The Christian County ordinance is maybe not the best reference because they are currently facing litigation for that ordinance and we do not want to use an ordinance that is in court, for lack of a better word to describe it.

Nick Womack: Can I ask a question?

Brian Bishop: Absolutely.

Nick Womack: What is the reason for the litigation?

Brian Bishop: It's considered capricious. Meaning there is no basis of the legal argument that they randomly chose 2,000 feet without...

Nick Womack: Is it a class action or is it...

Brian Bishop: I'm not that familiar with it, I just know that it's under litigation which is why when we looked at our ordinance; if you look at the current ordinance, there is a 25-foot setback off any perimeter lot line. We specifically chose that number because that number already exists in the Zoning Ordinance. A 25-foot setback already exists in the agricultural district which is why we wanted to be uniform and in agreement with the current ordinance.

Our thought process was basically what Christian County was experiencing. If we just randomly picked a number, you have to define that number and why you chose that number; just be cautious with the 2,000-foot note.



Nick Womack: It's on the record but yeah.

Chairman Dixon: Any other questions for this gentleman?

Do you have anything you would like to add, sir?

Nick Womack: No, I don't think so. I think I'm good.

Is there anything you guys want to ask?

Chairman Dixon: Anyone else?

Yes ma'am?

Lena Jensen: Hello, my name is Lena Jensen and my address is 700 Universe Blvd, Juno Beach, Florida.

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

Lena Jensen: I do.

Chairman Dixon: Thank you.

Lena Jensen: We appreciate the Planning Commission is considering this amendment and in response to strengthening this ordinance around the solar facilities. We are going to be coming forward later with the second phase of our project. The timeline for those projects usually do extend quite a bit of time; the process is we will work with these landowners and get these contracts in place and then we will come before the county to request a site plan.

In the background, we also have an inner-connection study process that sometimes can take 2 or 3 years and sometimes can extend to 4 years. So, my concern is the site plan process that is already in place that we've gone through that is quite rigorous from the county and also the state level, my concern would be that our timeline would extend past that year timeframe and we would have to get rezoned again due to this change.

So, the suggestion would be that, a suggestion could be to extend that timeframe to past a year to 2 years or some kind of a mechanism where those projects that already have a site plan approval when this amendment is in place wouldn't have to get rezoned. That's our suggestion.

This would give the landowners that are part of the project a little more comfort that their property rights wouldn't be affected and that these projects can go forward without an additional vigorous step that we feel that has been addressed through this process.

Chairman Dixon: Thank you. Any questions for this speaker? Anything you would like to add?

Lena Jensen: No, thank you.

Chairman Dixon: Thank you.

Would anyone else like to address this? Sir?

Your name sir?

Taylor Tompkins: Taylor Tompkins.

Chairman Dixon: Your address?

Taylor Tompkins: 5700 State Route 283, Robards, Kentucky.

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

Taylor Tomkins: I do, sir.

Chairman Dixon: Good.

Taylor Tomkins: I am the Magistrate for District 2 to start off with and I've talked to several people in my district. With due respect to the processes and timelines, I can understand that. I run a Next Generation 911 program for D.C., Virginia and Maryland. So, I understand

timelines and constraints and working through red-tape with the Federal Government, state government; I do it every day.

I feel like what we're proposing is fair to everybody, considering all parts and I respectfully disagree with the request to extend any timelines; it is what it is. They were put there for a reason. Get it done or don't.

Chairman Dixon: Thank you sir.

Taylor Tompkins: Yep.

Chairman Dixon: Would anyone else like to address any of these issues?

We'll take a minute and think about it. Does the commission have any questions for any party?

Would anyone else like to speak on this particular issue?

Very good, I'll entertain a motion in regard to the proposed amendment to the County Zoning Ordinance affecting solar energy systems as presented?

***MOTION WAS MADE BY KEVIN RICHARD, SECONDED BY GARY GIBSON TO RECOMMEND TO THE FISCAL COURT THE APPROVAL OF THE TEXT AMENDMENTS AS PRESENTED AND UPDATE ARTICLE XX, LIGHT INDUSTRIAL DISTRICT, SECTION 20.03, CONDITIONAL USES (L); AND UPDATE ARTICLE XXX, SOLAR ENERGY SYSTEM, SECTION 30.01, DESIGN STANDARDS AND SECTION 30.02, REQUIREMENTS WITH THE CAVEAT THEY REVIEW THIS PUBLIC TESTIMONY AS WELL TO DETERMINE IF THEY WANT ANY ADDITIONAL AMENDMENTS BEFORE TAKING FINAL ACTION.***

Chairman Dixon: We have a motion and a second. Any further discussion by the commission?

Madame Secretary, please call the roll.

***AYE: ALL***

Chairman Dixon: The motion passes, thank you.

We will move on to the next item in the public hearing; **Sebree Solar II Project Site Plan.** Ms. Marks?

Tommy Joe Fridy: Mr. Chairman?

Chairman Dixon: Yes?

Tommy Joe Fridy: Consider making it plain to the audience that this meeting was to hold a public hearing and make a recommendation but the Fiscal Court makes the final decision.

Chairman Dixon: Yes. On the previous item and the item we're about to consider. Correct?

Tommy Joe Fridy: Correct. Well, I'm not sure. This is a site plan...

Brian Bishop: This is a site plan.

Jennifer Marks: It will not go to Fiscal Court.

Chairman Dixon: But the amended articles will be going back to Fiscal Court for two (2) readings...

Brian Bishop: Correct.

Chairman Dixon: before it would become effective.

Basically, Fiscal Court suggests the amendment and asked us to hold a public hearing so we can gather information from you all. We very much appreciate your input and I'm sure Fiscal Court does too.

So, they'll get a chance to look at what everybody has to say.

Now, we're moving on to a particular site plan for the Sebree Solar II Project Site Plan. Ms. Marks?

Jennifer Marks: Yes, thank you Mr. Chairman.

So, the Sebree Solar II Site Plan Project, submitted by NextEra Energy Resources for the property located approximately seven miles south of the City of Henderson, directly north and west of the town of Robards, west of US Hwy 41 (“US 41”), north of State Route 416 and east of US 41A, containing approximately 1,460 acres. The applicant proposes to develop a Level 3 Solar Energy System.

As a reminder, the Level 3 was still in existence when they submitted their site plan. So, that is why it is worded that way.

If you will look on the screen or in your packet, you will see the site plan for Sebree Solar as a whole. The differentiation between the two colors; the purple is an existing site plan that they had approved roughly two (2) years ago I believe. Is that when you all came, Lena? Thank you.

Then the yellow or orange is what they’re proposing at this point for their next part of the solar project.

Mr. Andrews with the project and he is going to be speaking on that so if you have any questions for me I can try to answer them or he will be able to probably provide you much more in-depth information.

Chairman Dixon: Give us a little history here. How many times have we considered this project?

Jennifer Marks: Well, the first project is called Sebree Solar I and so it would have been like their, I would say their Phase I of the project which, again is the purple in the picture. Now, they are extending their footprint and the orange will be....this is the second time so, this will be the second time we’ve seen a project from NextEra. This one is Sebree Solar II.

Chairman Dixon: All the zoning is appropriate?

Jennifer Marks: Correct.

Chairman Dixon: We have not considered rezoning?

Jennifer Marks: No.

Chairman Dixon: Now, at that point it was not necessary.

Kevin Richard: So, just to clarify; this site plan we're reviewing tonight is only the yellow section or the purple and yellow section?

Jennifer Marks: Mr. Andrews, please correct me but it will be just the yellow section. The purple is to show you their footprint overall and then there are some overlaps which he will explain with the transmission line and things like that.

But yes, for tonight we are only considering the orange portion on the screen. This would give you guys another update of what the previous plan was that we had already approved for them.

Chairman Dixon: Any questions for staff before we move on? Any other questions for staff?

Sir, would you like to help us out?

Jason Andrews: Jason Andrews, 700 Universe Blvd, Juno Beach, Florida, 33408.

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

Jason Andrews: I do, sir.

Chairman Dixon: Thank you. Maybe you can give us kind of an overview.

Jason Andrews: Yes sir.

Brian, can we pull up the...

Brian Bishop: Give me one second please.

Jason Andrews: While they pull that up Mr. Chairman and commissioners; we're very grateful to speak before you tonight.

My name is Jason Andrews and I did want to introduce real quick a couple of my colleagues. Brittany Hayes Keonig as our counsel. We have Brian Bartles, he's our environmental subject matter expert and then we have Mr. Dennis Jeck who is our engineering and construction specialists.

I prepared a few slides and just want to talk through kind of the Sebree and Sebree Solar...

Brian Bishop: There should be a pointer on the podium, will you make sure that's working, please?

Jason Andrews: I kind of want to present and talk about a couple of key points throughout this brief here.

One is our compliance with the ordinance. The second is the benefits this project is going to bring and third is to touch on the Kentucky State Siting Board process so everyone is aware with the parallel lots that we have going on with the project.

First and foremost, I'm definitely appreciative of the outreach, the outpouring of support we've had with the project. NextEra, ourselves have been in the area for two and a half, almost three years and being able to...

Brian Bishop: I'm sorry....Heather, are you picking that up on the mic? Can you tell?

Heather Lauderdale: It is low.

Brian Bishop: Can you make sure to speak into the mic as best as possible so we can get it...

Jason Andrews: Can you hear me now?

Brian Bishop: Can you speak up a little more?

Jason Andrews: Sure.

Being in the community and the outpouring of support for the projects; we're very appreciative. That's one of the things our company relies upon; transparency. Being out in front of the public, opportunities like this to talk about the project and making sure that we want to have a lasting in relationship and be good partners as we invest in this community and understanding we're going to be here for a long time. We want to be those good neighbors and those good partners with the county and residents and do everything we can to serve and uphold everything the Sebree project represents and what we'll be held to.

I know there was some confusion so I'm going to kind of walk us back just make sure we understand Sebree as a whole.

Sebree II Solar, which is the second phase of the Sebree Solar project; this is what we're actually...this is our site plan. This is the project area of Sebree Solar II. Right now, leased is 1,460 acres and then we roughly anticipate, what we call being fenced in only about 800 acres.

What you see here too, what was delineated before, the purple, you see the orange which is the Sebree Solar II. The purple is actually part of the Sebree Solar project and why we show it here is we'll run underground collection lines as we have the panels, we run underground collection lines in concert with the Sebree Solar project. We just wanted to make sure we annotate that and it's sort of understood because if you look without the purple suddenly you just see some parcels that don't go anywhere. So, we want to make sure that it's understood that the second phase we're connecting with the first phase and we'll do that underground collection lines through the already permitted Sebree parcels.

Chairman Dixon: Excuse me, can we ask questions as we go?

Jason Andrews: Yes sir.

Chairman Dixon: You mentioned 800 acres fenced?



Jason Andrews: Yes sir.

Chairman Dixon: Does that mean 800 acres are where the panels actually exist?

Jason Andrews: Yes sir.

Chairman Dixon: All of the panels will be fenced?

Jason Andrews: Yes sir, around...

Brian Bishop: They are required to be by the existing and proposed text.

Chairman Dixon: Okay. So, about 800 acres of visible solar panels above the ground?

Jason Andrews: Yes sir, approximately. Then, we fence in the equipment.

Brian Bishop: Mr. Chairman, can I elaborate a little bit?

All Level III SES shall be screened with a seven-foot (7'), tall fence and to the extent reasonably practical, a visual buffer that provides reasonable screening to reduce the view of the SES from residential dwellings on adjacent lots, which I believe Mr. Andrews will address later as well.

Chairman Dixon: Very good, thank you.

Jason Andrews: This slide here, this really helps annotate and I'm going to walk you through the map here. In the gray, if you see the gray parcels, that's the already permitted and approved Sebree I project.

You'll see here, one of the things that we did is we tried to minimize the footprint. You'll see parcels in yellow. Those are part of the Sebree II Solar project that we're proposing to be permitted; those were actually initially permitted with the Sebree project. As we developed our plans for Sebree Solar I, we decided to carve those off and make them part of the Sebree Solar II in order to minimize the footprint.

So, as the slide says there, about 30% of what we're proposing to permit has actually already been permitted as part of Sebree Solar I.

If you look off to the right, another great benefit in our attempt to really compact and minimize the footprint is the transmission line. So, where we have those purple parcels before, we're actually going to be connecting in to the same, with the same area substations as Sebree Solar I and we're going to share that transmission line so that for Sebree Solar II there will be no additional transmission lines.

Then really, the compliance. We've worked with the staff here, the site plan that we've both submitted is going to be in full compliance with the Level III SES requirements from setbacks, heights, fence, along with the de-commissioning plans and other requirements we have.

Mr. Bishop talked about it so, in part of that lasting relationship and being good neighbors not only are we required...any non-participating adjacent property has to be, what we call...has to be utilized by a vegetative screening. So, from the fence line, a double row of evergreen trees will be planted to what we call official screening. So, as those get planted it will help the view shed for those non-participating parcels.

Then, the site plans that were submitted, that is annotated sort of in a fluorescent green. So, we've gone down there in the GIS and the KMZ system and looked and compared that with on the ground and looked to where there's not already vegetative screening and have planned to apply this double row of evergreen to help with that screening.

Chairman Dixon: This vegetative buffer, you said this would be around all non-participating properties?

Jason Andrews: Yes, from the roadway if there is not already natural vegetative screening.

Chairman Dixon: From the roadway or non-participating properties?

Jason Andrews: From both, sir.

Chairman Dixon: So, you've got to screen a farmers' field?

Jason Andrews: If he's non-participating to the project and there is no natural vegetative screening, yes, there will be vegetative buffer.

Chairman Dixon: Whether there's a home there or anything? It does not have to be a residence on that property.

Jason Andrews: A residence, yes sir. My apologies.

Chairman Dixon: What now?

Brian Bishop: Residence's only, I believe is what he's saying.

Chairman Dixon: Okay, so you're not going to screen all non-participating properties?

Jason Andrews: My apologies. From residence's that are non-participating.

Chairman Dixon: What about businesses or churches or any other use, is that in the ordinance?

Brian Bishop: Let's see, I want to make sure I read this into the record;

“All Level III SES shall be screened with a seven-foot (7') tall fence and to the extent reasonably practical, a visual buffer that provides reasonable screening to reduce the view of the SES from residential dwelling units on adjacent lots, including those lots located across a public right-of-way.

A vegetation screening plan to reduce the view of the SES from the residential dwelling units on adjacent lots will be submitted for approval by the Henderson City-County Planning Commission. The existing natural tree growth and natural land forms along the natural SES perimeter may create a sufficient buffer and shall be preserved when reasonably practical. When no alternative vegetation screening plan is approved by the Henderson City-County Planning Commission, a double row of staggered evergreen trees will be planted fifteen-foot

(15') on center from adjacent non-participating residential dwellings including the outdoor living space immediately near residential dwellings. Parcel boundaries with no proximity to residential dwellings shall not require screening.

The proposed evergreen tree shall be placed on the exterior of security fencing, the use of barbed wire or sharply pointed fences shall be prohibited and or along any boundary adjoining residential properties.”

So, I believe the Chairman's question was would you agree to screen any business or churches as well because it appears we neglected those in the ordinance.

Jason Andrews: Yes sir.

Chairman Dixon: Schools, for example. I don't know if there are any in the area now but there could be in the future.

Brian Bishop: Any structures that are inhabited, is that a good way to word your question Mr. Chairman?

Chairman Dixon: Inhabited means; I don't think a business is inhabited.

Gray Hodge: What about occupied?

Brian Bishop: Occupied.

Mac Arnold: (Inaudible) conditioned with air? Would that be anything that would be...if someone is, whether they're there as sleeping quarters or that's just where they're working or religious or whatever?

Brian Bishop: Commissioner Arnold, would you be sure to speak into the mic?

Mac Arnold: What I was saying there was basically, can you use that as a definition; buildings that have conditioned space in them, might be a way of answering that.

Brian Bishop: Mr. Andrews, do you care to address that?

Tommy Joe Fridy: Didn't you agree on behalf of your company to screen churches, schools, factories, businesses; did you? Are you agreeing?

Jason Andrews: We'll definitely consider it and we submit the vegetative screening...

Tommy Joe Fridy: You're considering it or you're agreeing to it?

Jason Andrews: We can't agree to every, exact scenario but certainly we'll consider it.

Tommy Joe Fridy: So, you do not agree to it?

Jason Andrews: No, I can't agree to it.

Chairman Dixon: Okay, so if we use the term occupied...

Jason Andrews: Occupied, residential structures.

Chairman Dixon: Well, occupied structures; residential or not I guess is what we're dealing with. That's not a possibility?

Jason Andrews: I think it's definitely a possibility but I just can't agree to an exact structure right now. I know the ordinance is residence and we've submitted the vegetative screening buffer on which will need to be approved.

Chairman Dixon: Okay. Perhaps you should proceed with your presentation.

Jason Andrews: I just want to talk about some of the environmental studies that is part of the due diligence that goes on for the projects.

A lot of these for the Sebree Solar II we have completed already. Wetlands delineation; so, we have folks go out and take a look at and making sure to identify the wetlands, any streams, wildlife habitat. We want to do our best to minimize any environmental impacts that we can to the project.

Then, cultural resources. Make sure we know, we can go around that we've mapped and cemeteries, we also...

Tommy Joe Fridy: It's extremely difficult to hear you.

Jason Andrews: Okay, I will speak up. My apologies.

Cultural resources, so, we've done a lot. We've sent folks out to make sure we've mapped and then on foot any cultural resources along with tribal outreach to make sure that we're doing our very best to mitigate anything in the area culturally that could be disturbed.

Then, any hazardous materials. We do a lot of environmental survey assessments both from the desktop as well as send folks out on foot to make sure there are no environmental hazards on any of the property parcels along with interviews of each land owner and those have been done for Sebree Solar II.

Then, again, really just want to make sure we avoid any impact, minimize any impact and mitigate anything to any of the natural resources to the greatest extent possible.

Then, finally one of the permits as the project matures and is approved is the storm water and drain pollution, that's obviously important. That is by law that we get that permitted. Both prior to construction we'll submit that plan, that will have to be improved and along during the construction process that can be inspected every 7 to 14 days and then within 24 hours of any rainfall greater than 1/2 inch.

Engineering. So, we do a lot of what we call geotechnical service both from a topographic look, looking at the contours and the mapping of the land and then as well as ALTA or what we call boundary surveys for each parcels. A lot of those basic surveys for Sebree Solar II have been completed and then we'll just as the project matures we'll have to do some follow-on geotechnical service which really just goes and tests the

soil to make sure as the equipment is planted that it's firm enough to be held in the ground.

Finally, just the Kentucky State Siting Board permitting process I think that is going along and parallel with what we have.

So, in October we filed our notice of intent to file for Sebree Solar II and then we submitted our application in April '18. Then, along with that application that's submitted, the state Siting Board requires multiple noticing. So, this is where I wanted to make sure that not only the state's requiring us to but the notification of the community.

So, as part of that process we held two (2) public meetings. One in July at Atkinson Park and then one in the town hall at the request of Mayor Sellars in Robards, Kentucky; we did that in September and prior to those meetings we posted them both on our Facebook and website and as well as the Henderson gleaner, Providence Journal for two (2) weeks notifying residents.

Along with the application we also sent certified mail to all participating landowners, all adjoining landowners as well as collection landowners; certified mail that we have filed for notice of the application.

Right now, currently June through August we're receiving data request. So, the siting board will send us questions, more detailed questions about the site plan to answer and we will answer those and respond back. Then, in late June they'll do a site visit. So, we'll have members of the siting board come out, we'll take them for a site visit and show them around and answer more in-depth questions.

Finally in October, we'll go and the siting board will hold their own public hearing in Frankfort, Kentucky so, those efforts are ongoing right now and just to give you sort of a glimpse of the parallel efforts and some of the state's siting board process that's ongoing.

Chairman Dixon: And this is in reference to Sebree II, correct?

Jason Andrews: Yes sir, yes Chairman.

Chairman Dixon: What is the status of the certificate for Sebree I?

Jason Andrews: The Sebree I construction certificate has been approved already. So, this will be for Sebree Solar II, Mr. Chairman.

Chairman Dixon: Alright. So, you've gone through this process for the first phase?

Jason Andrews: Yes sir, yes Mr. Chairman.

Chairman Dixon: Successfully gone through it.

Jason Andrews: Successfully gone through it, yes Mr. Chairman.

Chairman Dixon: Thank you.

Brittany Koenig: My name is Brittany Koenig and I'm counsel for NextEra.

Chairman Dixon: Can I have your address?

Brittany Koenig: Yes. 729 Sprucewood Dr., Lexington, Kentucky.

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

Brittany Koenig: Yes sir.

Chairman Dixon: Thank you, ma'am. How can you help us?

Brittany Koenig: Mr. Chairman, before we get away from your question...

Tommy Joe Fridy: Can you speak closer to the mic, please.

Brittany Koenig: Yes sir.

Before we get away from your question Chairman, I just want to clarify what you're asking NextEra to agree to as far as the vegetation



screening. Are you just asking to commit if there are any churches or schools, that they would commit to vegetative screening for those?

Chairman Dixon: I think a business might be appropriate as well. If we can't receive...

Brittany Koenig: That's my question...because you can't agree to something that you can't receive but I think we can agree and commit to any churches or schools.

Chairman Dixon: Are you prepared to do that tonight?

Brittany Koenig: Yes sir.

Brian Bishop: Mr. Chairman, may I suggest any structures used for human occupation which would include businesses?

That's what I was...

Gray Hodge: New or existing?

Brittany Koenig: That's the thing. That's not the ordinance as it is and we have complied with the ordinance and so, I believe what you're asking is to agree to something that nobody knows and I do feel like that's capricious.

Brian Bishop: I would disagree because you know what structures exist currently whether their business, churches or schools.

Brittany Koenig: What exists currently is fine. They've addressed that in the site plan but correct me if I'm wrong but what I thought what you asked is if a business comes and if a business...

Chairman Dixon: I understand your point and I dare not be capricious. So, we're speaking of existing, occupied buildings.

Brittany Koenig: Yes sir.

Tommy Joe Fridy: Yes sir, what? Are you agreeing?

Chairman Dixon: Are you going to make that commitment here tonight.

Brittany Koenig: Yes sir.

Jason Andrews: Yes, Mr. Chairman.

Chairman Dixon: Thank you. Thank you very much and thank you for correcting me.

Any other questions for this gentleman? You made a mention of wildlife, cultural, hazardous material studies that have been done.

Jason Andrews: Yes sir.

Chairman Dixon: And it's available to the public?

Your name sir?

Brian Bartels: Brian Bartels.

Chairman Dixon: Your address?

Brian Bartels: 700 Universe Blvd, Juno Beach, Florida.

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

Brian Bartels: I do, sir.

Chairman Dixon: Thank you.

Heather Lauderdale: Will you spell your last name please?

Brian Bartels: Sure. B-a-r-t-e-l-s.

Heather Lauderdale: Thank you.

Brian Bartels: So, we can provide the Phase I Environmental Site Assessment which documents any potential petroleum products or hazardous waste that may be on site; that was supplied as an amendment to the siting board application.

Chairman Dixon: Okay but not the wildlife, cultural for the second phase?

I think your presentation said those studies have been completed, correct?

Brian Bartels: That's correct.

Chairman Dixon: I just want to know if they're available to the public.

Jason Andrews: Certainly, we can send them in.

Brian Bartels: Yes.

Chairman Dixon: If someone made a request would that be something you could...

Brian Bartels: Yes.

Jason Andrews: It is part of the public record and we can make that available.

Chairman Dixon: It's already part of the public record.

Brittany Koenig: Yes sir, it's online with the Kentucky Public Service Commission under the Siting Board cases; all of that is public record. We have the website we can provide; PSC.Ky.gov. It's the Public Service Commission website and the Siting Board cases; the siting board is different than the Public Service Commission, it's a different process but that is where all of those cases are available for anybody.

Chairman Dixon: So, the starting point for anybody interested on the web is PSC.Ky.gov.

Brittany Koenig: Yes sir and the case number is 2022-00131.

Chairman Dixon: 2022-00131.

Brittany Koenig: Yes and it a Siting Board case, it's not a Public Service Commission case so it's in a different part of the website; just to clarify that.

Chairman Dixon: Okay. Thank you.

Brittany Koenig: Yes sir.

Chairman Dixon: Thanks for helping us out with that.

Is there anything else, sir?

Jason Andrews: Yes, Mr. Chairman if it's okay I wanted to address some of the questions brought up with the previous amendment; I wrote them down.

One is, again, talking about the benefits of the project. Right now, we project about \$195 million dollar capital investment in the project. We anticipate about \$12 million dollars in tax revenue to the county and it will supply about 200 construction jobs during that period of construction.

There was reference talked about that the solar companies coming in and a lot of that when we look at these projects for siting really the key component is that transmission. So, proximity to the transmission grid is one of those key components for economic viability of the project. So, that's why you see us trying to minimize that footprint and share that transmission line. Again, those studies, that ability to tap into the transmission grid has to be studied roughly it generally takes about 1-2 years to complete those studies.

There was mention of property values too. So, as part of the siting board process we use a third-party consultant and that can be found in our case number on that same website. We submit a full, third-party assessment of property values and in that assessment that was done it was indicated that there was no real decrease in property values of the studies done.

Additionally, the siting board, when they're reviewing our case and going over it, they will also do their own third-party assessment of property value or valuations. So, I wanted to make sure to address that.

We've talked definitely about the vegetative screening. Again, that's in part to minimize the view shed and do our best, again, to be those good

neighbors; to keep the project compact and minimize view shed as we can.

Again, the process, Henderson County has been great to go through certainly this process I believe is rigorous along with the state siting board. So, we've talked enough during the brief.

Then it was mentioned too; so, the de-commissioning bond, we're required by law and there was actually House Bill 4 passed just recently that mandates and gives more control to local government. Those de-commissioning bonds are in fact, law. So, right now as it sits, one-percent (1%) of the project, approximately four (4) weeks prior to starting construction we will be responsible to provide that de-commissioning bond to the county. That will be re-assessed every five (5) years and with the new House Bill that was recently passed, that is going to be, again, continually re-assessed and gives more strength in ensuring that de-commissioning bond is in place to avoid any burden both on the land owner or the county.

We talked about the county process and then the idea. So, one of the benefits is that we reach out to landowners. Certainly, there is an option to purchase land, the beauty of leasing the land in conjunction with the de-commissioning bond; the beauty of that is those landowners with their property rights can keep that farm in their name. That stays with them, the lease will be leased once the project is then de-commissioned, it will be de-commissioned and will be required to return that land, that soil back to it's natural state. So, that is why certainly there is an option to purchase land for landowners but that is sort of the beauty behind leasing the land so they are able to keep these properties and farms in their names.

Brian Bishop: Can I ask a question there?

Jason Andrews: Yes sir.

Brian Bishop: When you say natural state, does that include all underground improvements as well?

Jason Andrews: Yes, yes it does Mr. Bishop and that's in the de-commissioning as well.

Frank Boyett: When you're talking about cultural resources, you mentioned graveyards. Henderson County... a number of old, family graveyards in Henderson County have been plowed under over the years. So, I'm asking how comprehensive is your survey of graveyards that may not be visible to the naked eye.

Jason Andrews: Yes, commissioner it is visible. So, one starts with sort of a desk-top review and then part of that Phase I environmental survey assessment, they send cultural resource experts out on the ground and in fact they've been able to walk through and map found pieces of an old tombstone and then we'll record that and actually go back to old maps to confirm what was there. What we do to be the most conservative, we'll provide a buffer around that area even if there is nothing there, when we found that one, sort of half-broken tombstone, we'll provide a buffer around there.

Frank Boyett: I'm probably telling you all something you already know but the Public Library over here has a map of old family graveyards. That was put together probably back in the 70's, early 80's. As I say, some of those graveyards you can't see them anymore.

Jason Andrews: Certainly, yes, Mr. Commissioner. I know we've done the due diligence to make sure we've identified everything.

Chairman Dixon: Is there anything else, sir?

Jason Andrews: If there are no other questions. Again, I really, honestly appreciate the time, I appreciate the support allowing everyone to be heard.

Again, kind of the three (3) main points that we started the topic of discussion with was one (1); the compliance with the ordinance, going through some of the pre-LDC, the LDC and now having the opportunity here. Two (2) is the benefits we talked about; the idea of bringing some economic development, the diversity of the portfolio for both landowners and frankly the county as well having oil, gas and some renewable energy I think is a huge benefit to the community.

Then, finally we talked about the parallel efforts during the State Siting Board process. So, unless there are any questions for me, I definitely appreciate the process and appreciate the opportunity.

Chairman Dixon: Any other questions for this gentleman from the commission?

Thank you sir.

Kevin Richard: Thank you for your presentation.

Chairman Dixon: We may need you back, you never know.

Would anyone else like to address the commission?

Yes? I believe you have already been sworn in so you can proceed.

James Ford Hester: You don't need my name?

Brian Bishop: Mr. Chairman, would you mind having his name read into the record so Heather knows who is speaking?

Chairman Dixon: Yes, just your name sir.

James Ford Hester: James Ford Hester.

Chairman Dixon: Thank you, go ahead.

James Ford Hester: This greenspace you're speaking of, that's my sixty-six (66) acre farm sitting right in the middle of all this and I'm all for solar but you could put up a five-hundred-foot (500') fence around the solar panels; it will be plum full of wildlife the very next morning

because ya'll are missing the point. There are animals that climb, for instance a racoons and what are you going to do about the owls and eagles and all that? It will be plum full the very next morning; anything that you fence in.

So, seven-foot (7') tall? I've got deer on my farm that can jump seven-foot (7'). So, they'll all be in there. So, that's something they'll need to consider I think.

That's all I got.

Chairman Dixon: Okay, any questions?

Kevin Richard: Thank you.

Chairman Dixon: Thank you.

James Ford Hester: Your welcome.

Chairman Dixon: Next gentleman. I think there were a few back there, yes? Your name sir?

Chad Hopgood: Chad Hopgood, 2306 Watkins-School Road.

Chairman Dixon: Do your promise to tell the truth, the whole truth and nothing but the truth?

Chad Hopgood: Yes sir. I've got a question for the NextEra lady, I'm outta touch.

Will these solar fields be a solid field or patched up?

Brian Bishop: Mr. Hopgood, if you would please direct that to the Chairman.

Chad Hopgood: Will these fields be a solid...if you've got a hundred-acre farm, will it be a solid field of panels or will it be patched up or will it be, I mean how is it laid out or do they know that yet? That's my question.

Chairman Dixon: Do you have another one?



Chad Hopgood: No. I'm fine.

Chairman Dixon: Thank you.

Chad Hopgood: Thank you.

Chairman Dixon: Sir, can you help us with that?

Jason Andrews: Jason Andrews, do you need me to read in again?

Jason Andrews. Yes, so what we do is a preliminary site plan. So, we'll try to keep everything as compact as we can. Some of the areas will have to be fenced in separately and that's just due to a lot of the setback requirements and then if there's any wetlands or streams. So, as much as we can keep one, contiguous per parcel we'll do it but sometimes just due to the setbacks whether that be roadways, streams, any of the cultural resources then there will be sort of separate fencing.

Chairman Dixon: If I understood the question and example, would it be possible to see...

Brian Bishop: Mr. Chairman, sorry, we're working on all that now from the documents they have submitted as part of their application. We will give you a much more detailed answer if you bear with us one second.

Chairman Dixon: Okay, as you do so we're going to see fifty-acres (50) of solid solar screens?

Jason Andrews: I'm not understanding what..

Chairman Dixon: Are there roadways between these things or...?

Jason Andrews: Yes sir. So, there will have to be some access roads and we try to minimize that certainly as much as possible. There will be access roads so we will have approximately one to two people assigned to the project. Access roads are certainly important. One, for the operation and maintenance. Two, to make sure we have access to it if a panel is broken or whatnot and just to go and kind of do the daily,

routine fixing and then as well as the ability to sort of mow the fields and keep the grass to a low level.

Jennifer Marks: Mr. Chairman, if you will look at the screen here. The orange is the solar arrays so, that kind of gives a layout of what they're expecting for that to look like in this section.

Chairman Dixon: Okay, so, in that case it's indicating some kinds of access road, it's indicating a few parcels that are not solar arrays. I think the gentleman's question, unless I misunderstood is there just solid solar panels you know for as far as the eye can see or is it broken up in some fashion.

Is that what you mean sir?

Chad Hopgood: Right. That's what I said. Are they going to be on top of the hills? For instance, you lease a hundred-acre field, you lease a hundred-acres from me to put solar panels on...

Chairman Dixon: I'm sorry, you're going to have to come to the microphone again.

Chad Hopgood: I'm sorry, I'm from the sticks. Let's say you have a hundred-acre, square field and we lease it to you to put solar panels on; it's a ridge, you've got the hollers, you've got this...are you going to have ten-acres of solar panels up on top of that hill? Then you're going to have forty-acres that are open that you're going to fence around your ten-acres and leave the other? Or is it going to be the whole hundred-acres fenced? How does that work?

Jason Andrews: It's generally all going to be fenced. How we set up the panels is they will be on what we call rackings and then there will be rows in between. Because if you have solar panels and you keep them too close, certainly there is increased shading. So, there's a space, generally four (4) to five (5)-feet in between a row of panels. So, you could have a row of panels along your property line and then you'll have

some space in between. Then, certainly leaving that space in between for the maintenance and two, you don't want to over-shade and reduce the production of the panel.

Chad Hopgood: So, what you're saying is of that hundred-acres, you take twenty-five or ten acres of it and put panels on it, it's fenced. Who's going to maintain the rest of that? Who's going to take care of the vegetation on that?

Jason Andrews: So, what we generally do is we own everything and do the maintenance inside the fence to keep the grass down and then anything outside that can be returned to the landowner. If they're, depending on how the exhibit and how the site is set up, if they are unable to we'll obviously maintain outside if we need to sort of bushwhack. Because what we don't want is there is grass outside a fence for it to get too long.

Chad Hopgood: Thank you. You've answered my question.

Jason Andrews: Thank you, sir.

Chairman Dixon: Thank you, sir.

Do we have other people that would like to speak? Thank you so much. Sir? Give us your name please.

Levi Brown: My name is Levi Brown. I live at 6264 State Route 283.

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

Levi Brown: Yes sir.

Chairman Dixon: Thank you.

Levi Brown: So, I work in the energy industry, I'm not an expert but I am well versed in it and I see it every day.

As far as the property value goes, when you build a new subdivision you put it underground; you put all your electric underground because that helps your value, people don't want to see it.

So, I know they've done studies, I know they've looked into it but as far as the value of that goes, I don't see it not having an effect.

As far as some questions I have; who will we or who in the county would we get in touch with to voice our concerns or our problems with as far as if this progresses and they do start having or starting construction on this on, hey, they're not putting their vegetation up or there is a problem there or there is a problem there or there, from what I've read on the noise ordinance, they can't work past a certain time. Who will we contact in the county for those issues?

Brian Bishop: Mr. Chairman, is that okay to answer?

Chairman Dixon: Yes, by all means.

Brian Bishop: So, if the site plan is not being followed you would direct any complaints to the County Codes Department, Mr. Randy Tasa would handle that just like a property maintenance issue like anything else.

Chairman Dixon: Do we have a phone number?

Brian Bishop: I do. I can get that to you.

Levi Brown: I just wanted to voice my opinion that I am against this. I think if they did want a smaller footprint, there are different things they could do to make that a smaller footprint. So, Mr. Andrews is well spoken, I'm sure they've done a lot of looking into this. I'm just, like I said very much against it and hope that y'all will consider it.

The adjacent property owners, we might not have 200-acre farms but we are hard-working people and we are very proud of what we have and that will be affecting our lifestyle and how we enjoy what we do have.

That's all I've got, thank you.

Chairman Dixon: Thank you.

Jason Andrews: May I address some of the concerns?

Chairman Dixon: Of course.

Jason Andrews: Just to follow up and I'm very appreciative of Mr. Brown's...so, prior to construction, just so you understand the process, we'll be notifying everyone within the area of the project that construction will be begin. Along with that we'll have a construction manager as well as information on sort of a complaint resolution or if there's issues during construction. A lot of the times also we try to incorporate like a ride share program to therefore kind of minimize traffic and as well as during the construction we'll have a construction manager present on the ground and always available to sort of answer a lot of those questions.

Part of the State Siting Board process generally what we've seen for Sebree I that they have limited the construction hours so non and I'll use the precedence of what Sebree I Solar's mitigation was for construction. So, for non-noise causing construction was Monday through Sunday, I believe 6 am until 8 pm, non-noise causing and generally the work hours that we can get would be Monday through Saturday. Sebree I was 8 am until 6 pm.

So, just wanted to make sure the commission understands that as part of that siting board process, what we've seen in Sebree I is they'll imply conditions on us for those sort of construction hours. Additionally, as part of the construction phase process, they will be required, kind of as Mr. Bishop stated, to come in and inspect throughout the process until we're operational that we're following all the mitigations. So, that inspection is ongoing throughout the construction process. I just wanted to make sure the commission understood that.

Chairman Dixon: Thank you, thank you. Would anyone like to address the matter?

Mary Clary: My name is Mary Clary.

Chairman Dixon: Excuse me, we didn't hear your name.

Mary Clary: Mary Clary, I was up here earlier.

Chairman Dixon: Your address?

Mary Clary: 5846 Hwy 1299.

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

Mary Clary: Yes sir.

Chairman Dixon: Thank you, ma'am.

Mary Clary: I just hear people showing concerns of what it's going to look like. I don't know if any of you all have been to Louisville or my husband and I travelled to Georgia; it's not that. It looks better than your neighbor with a bunch of junk and it's all over our county; people stack junk everywhere. If you've ever seen one of these solar fields, what we have seen even before we were approached to put on our ground, they're well maintained; they're pretty neat looking for somebody that had not seen them. To act like it's going to hinder somebody's property, I don't know how. I mean isn't it the new farming? Isn't this our new farming; the 21<sup>st</sup> Century farming?

So, we back away from it as Henderson? I mean, we're moving into the future and it's actually going to bring more revenue into our county. You know, we all know we need that; our taxes are crazy right now. The way I see Sebree Solar, they're going to the schools, they're giving back to our community. I guess what I'm saying is these people are concerned what it's going to look like when it's through, I say travel outside of Henderson and actually look at some of the solar fields, they're pretty neat. They're clean. We've been several...we went to Tybee Island, ran into a few, they were well maintained. There is one going to Louisville and for several years it's been there. It's not as big

as this is going to be but I've never passed it when it was not well maintained; grass grown up or junk all around it. We have several places in town that look bad, you know? So, this would be a compliment to our town, our county.

Chairman Dixon: Thank you, ma'am.

Yes sir?

Levi Brown: Levi Brown.

I've got a follow up question. What are the penalties if they do not follow some of the things they have set forth? As far as the noise ordinance and the vegetation border?

Brian Bishop: Mr. Chairman, I would ask Mr. Tasa to address that.

Chairman Dixon: Very good. Is Mr. Tasa with us tonight? Yes, I thought so.

Your name sir?

Randy Tasa: Randy Tasa.

Chairman Dixon: Address?

Randy Tasa: 1990 Barret Court, Suite H.

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

Randy Tasa: I do.

Chairman Dixon: Thank you. Can you help this gentleman with his question?

Randy Tasa: The county does not have a noise ordinance. If the applicant is agreeing to impose their own regulations on keeping the noise down within certain hours it would be on them and we would try to hold them to that. The county doesn't have a noise ordinance.

As far as if they do not follow through with their screening plan, it's part of the requirement per the ordinance, then we could call their bond to make them put that in or put it in for them.

Chairman Dixon: Okay.

Brian Bishop: Would there be any criminal penalty.

Randy Tasa: Yes. It could be, if they don't follow through with what their requirements are.

Chairman Dixon: Could you stop the project construction?

Randy Tasa: There could be a stop-work order if they don't follow through with what their application states in there.

Chairman Dixon: Does that answer your question, sir?

Levi Brown: Yes, thank you.

A couple of more things. I've talked to some of the people that have been out doing some prep work for this. They're not local. So, as far as, you know, the local employment, the guys I've talked to haven't been from around here. So, yeah sounds great and it's going to produce so many jobs or whatever but I have not seen that yet. I know I've talked to those guys, just making that aware to you that I have talked to them. They're from Tennessee, they're from Georgia. They're coming up here and doing this stuff, it has not been local people that I have talked to and that I have seen and not to be argumentative but I...solar panels and solar farms are not neat to look at. I see them quite often. There is nothing really cool about them. So, you know, that might be one's personal opinion, I think you would have the majority of the people in here saying that they would not want to see them and they are not neat and cool to go look at.

So, thank you.



Chairman Dixon: Thank you. Would anyone else like to speak this evening?

Yes sir?

Robert Lloyd: My name is Robert Lloyd. I live at 8201 Meahl-Cates Road.

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

Robert Lloyd: Yes sir.

Chairman Dixon: Thank you.

Robert Lloyd: I have seen some of these solar farms and frankly, in my opinion they are ugly. Those of us who don't have plots of land that's going to be making money off from it, we just have a home and a couple of acres or whatever; that's going to decrease our property values. It's probable that it's going to do that. So, we're stuck. We're not making money off that and we're losing money off the value of our properties. They're not pretty to look at. They're not nice. I would rather see individual homes make their own energy. I think it would probably be better than having big farms, solar farms especially when solar farms put out electromagnetic radiation which can even reduce live expectancy of human beings. They're not very healthy on that level either.

So, I have concerns on both of these fronts that we're going to lose property value. I'm concerned also concerning the health hazards, potential health hazards that even the WHO has said can cause even a decrease in life expectancy with electromagnetic hypersensitivity and things of that nature.

So, I think there are a lot of problems here. Why put them where there is a population of people? Why not put them out where there is no people. I mean, wouldn't that make sense instead of putting them where

people live. Those are some concerns that I have. I love everybody, respect everybody but that's just my opinion. Thank you.

Chairman Dixon: Thank you, sir.

Would someone like to address the health effects of this type of project?

Jason Andrews: Jason Andrews.

Yes, Chairman and commissioners; there's no known health effect studies that certainly we're aware of. Solar panels don't emit EMF. They're basically as the sun provides energy, that provides a direct current and that direct current is then shipped to alternating currents to the transmission lines. So, no known health effects to the population.

Chairman Dixon: Okay, thank you.

Robert Lloyd: May I (inaudible)?

Chairman Dixon: Yes, you may come back sir.

Robert Lloyd: I respectfully disagree with you. The solar panels themselves do not cause the problem, it's where the energy is stored and getting there. I think those are the issues as well and so that is a concern and I think there are some known issues that...I mean, to say there's no known issues, that's questionable, in my opinion but there are known issues.

Secondly, it wasn't addressed about the decrease of our property which is probably, surely going to happen. And if anybody cares about their property and their homes, I would be thinking about that and praying about that. Thank you.

Chairman Dixon: Thank you. Yes, please come forward again sir. I didn't get a chance to ask you about property value.

Jason Andrews: The first piece; there's not storage and I think Mr. Lloyd had said that. There's no storage, no battery storage certainly proposed within the project.

Then, the property values, we discussed. We did a third-party consultant with you that found no indicative decrease in property values. That can also be found on the PSC website. Then again, the siting board will also conduct their own, separate, third-party report on property values.

Chairman Dixon: Thank you.

Would anyone else like to speak? We have a lot to think about here. We'll take a minute.

Does the commission have any further questions for staff or our speakers tonight or the representatives of the applicant? Neighbors? Anyone else? Counselor?

Tommy Joe Fridy: I suggest that the Chairman rule or the Planning Commission vote that the first gentleman who spoke, Mr. Walker's testimony to be included in this proceeding as well because I think it was likely he was addressing this application.

Chairman Dixon: Mr. Walker? Is it okay if your testimony is applied to this second issue?

Michael Walker: I can't hear you. I'm sorry, can you speak up a little more?

Chairman Dixon: It's been suggested that your testimony might be more helpful if we included it in this discussion of the site plan, would that be okay?

Brian Bishop: Mr. Walker, your testimony previously was under the portion where we discussed the text amendment and not the site plan itself. Are you okay if your previous testimony is included in this portion as well.

Michael Walker: Yeah, yeah.

Chairman Dixon: So, again...

Michael Walker: No problem.

Chairman Dixon: Very good. Would anyone else like to address this matter this evening? We very much appreciate everybody's input. I want to be sure everybody has a chance, as many chances as they want.

Anything else from the commission?

Kevin Richard: Real quick, Mr. Chairman, I guess for some housekeeping; I offer a quick motion to include Mr. Walker's testimony as part of this proceeding as well.

Gray Hodge: I second.

***MOTION WAS MADE BY KEVIN RICHARD, SECONDED BY GRAY HODGE TO INCLUDE MR. MICHAEL WALKER'S TESTIMONY AS PART OF THESE PROCEEDINGS.***

Chairman Dixon: We have a motion and a second, all in favor say aye.

***AYE: ALL***

Chairman Dixon: Any opposed? Very good, we will include that as additional testimony.

**Michael Walker's Testimony:**

*Michael Walker: I talked to you yesterday. That's just for the board members.*

*Brian Bishop: Would you like this entered into the record?*

*Michael Walker: Yeah, yeah but it's just that they probably don't need to know my personal business like that. You know? This way we know where we going. (MICHAEL WALKER INTRODUCED EXHIBIT "A", CONTAINING A LETTER)*

*I live on Highway 1299.*

*Chairman Dixon: Your name, sir?*

*Michael Walker: Michael Ray Walker.*

*Chairman Dixon: Do you have the address?*

*Heather Lauderdale: No.*

*Chairman Dixon: Your address, sir?*

*Michael Walker: 7263 Hwy 1299.*

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

*Michael Walker: Huh?*

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

*Michael Walker: Yes.*

*Chairman Dixon: Thank you sir, please proceed.*

*Michael Walker: Right across the street from me, matter of fact 110' across from me is a 100-acre field; I mean, completely surrounded and here I've put all this money into the house and I've got over 11 acres and this company; they come in the house, I brought the girls in, took them through the house and they said, My God, you've got this house tore up. I said, I'm re-doing it because the day will come, at my age, that we'll have to sell.*

*I had an appraisal run and if you look on the paper, you'll read it and you'll see the total amount was because I bought next door; I bought six acres next door. Anyway, I was told if I don't get this place sold before they get there, I could very easily lose money. I'm not the only one and I'm not advocating for them not to be able to come here but I'm asking y'all to put some strong restrictions on them and rules and if they don't want to play by our rules, the people of this county, then let them stay where they're at.*

*I told them, I said, you know, I'm not saying not to come here but they have to be responsible people too. I find it funny that you've got all*

*these other companies now wanting to come in here; why? Because what, are they going, let's go up to Henderson County, the rules are real easy, we'll get this stuff in there and be out of here and possibly sell everything out within a couple of years.*

*I mean, y'all have to think about this. There will and can be people...okay, like my house. This house, front to back, top to bottom, inside and out, every aspect is brand new; money flowing like water down there and I'm 110' and yeah, the farmers when they farm, I might wash the house down, you know, twice a year. Can you imagine bulldozers and stuff 110' from me? I mean, I made the company an offer and I told them flat out, here's what I'll take. It's on that paper, here's what I'll take. I give them my attorney's card and I said, if you don't write me a check, I'll promise you we will be in court and I said it will be a jury trial and I said you're going to find out you're going to have a hard time getting a jury together with people that don't know me.*

*I was a Fire Lieutenant off Henderson Fire Department; I've been a contractor all these years just like you. Everybody and their brother's son knows me, everybody and their brother's son knows you and I mean...anyway, they tried to say, oh well it's a tourist attraction. I said then why don't you keep it down in Florida, I said there's plenty of sun and you've got millions of people coming in there, I said maybe you can get Mickey Mouse to take and charge to run through and see the solar fields. I said I'm not trying to be smart, I said but, you know, I said I'm not putting all this money in here just to throw it away and if you read on that paper, when the appraisal was run I was told, of course ain't nobody gonna write it down but I was told and said, if you don't get this place sold it could cost you up to this amount.*

*I don't know about you, maybe you can but not everybody can afford to lose that kind of money. Let them come on but put the rules and regulations on them.*

*The old boys that was down there working, doing all the surveying and all the stuff that they've been building up, you know they've been down there for a few years. Well, there's really nowhere to go down there and get drinks and stuff like that; well, me and my wife we would take and give them Cokes and fix them sandwiches and stuff and them old boys would sit on my front step and said, cause a lot of them were from up in the northeast, and they said up north like Massachusetts and stuff that nobody wants to live around them and people have trouble selling their houses. All I've got to go on is what these boys told me, wasn't anybody bulling me, I mean they was telling me the truth of it. I mean, have y'all asked yourself why all of a sudden do we have all these companies wanting to come here? Why are all these solar companies wanting to come here all of a sudden? Would you not agree there's more sun and it can generate more electricity in Florida than Henderson? You know it can and I know it can. I mean, all I'm asking is re-think this and go back and make the rulings stronger and whatever.*

*Just like down there, I know there's a house down there right up from me probably 1500 ft. or 2000 ft. up on a hill; I know for a fact these people give \$370,000 for that house. Well, who's got my paper, which one of you? Mac, do you have the paper?*

*Mac Arnold: Yes.*

*Michael Walker: Would you like to lose that much?*

*Mac Arnold: No.*

*Michael Walker: No, no; but there's no way to prove it. What do you do? Do you wait till the minute? Them people give \$370,000 for that house, they're sitting up on top of a hill and they're going to be looking at a sea; I invite any of you to come to my house, I'll fix you a whiskey and Coke and you can sit on my front porch and you look at that 100-acre field and you tell me and you'll be going, my God, how many thousands of solar cells are going to be on just this one piece? And then*

*they're all over here and go around a curve and there's an old boy up there, his house is pretty new; just built a new pole barn and stuff and by God I'll bet it's coming 200' from that new house; and they're younger. What are they going to have to do? Spend a lifetime there because nobody wants to come there?*

*I mean, when I saw that old farmhouse down there and all that ground, if I had any idea I couldn't have drove fast enough to 416. I mean, y'all have got it within your ability to take and make things stronger. What could anybody say? I mean, to top it all of; have you ever heard of companies coming to a place and they don't want to own nothing? They're basically renting the ground and I'll bet you the solar panels, I'll bet they're gonna be on a lease.*

*So, these boys here are going to get up and move out of town in nothing flat and they got to answer nobody for nothing. You mark my word; they'll sell this stuff in a couple of years and be gone. Right now, they're itching for Uncle Sam to dole out all this money and like I said, I'm not saying don't let them come but make it stronger. Make it to where by God, okay like down there where I'm at; have it to where if anybody lives, let say within 2500', that's roughly a half a mile or even cut it down to 1/3 of a mile but if you're that close that this company, if there's going to be a loss they've got to at least make up and you seen what I told them I'd take. It's less than what I told I would lose, right? I said, I'm trying to get along with you and like I told them, I said, if you come back up here, I said, rent you a couple of Greyhound busses and put you about 100 attorney's on there and bring them up with you cause I said, I don't need but one. I said, you're gonna find out, you're in Kentucky, we're not in Florida no more.*

*So, I mean, this is just...what you told me yesterday, is that general knowledge? I mean, can I...*

*Brian Bishop: Which part?*



*Michael Walker: The five.*

*Brian Bishop: The five?*

*Michael Walker: Five companies more?*

*Brian Bishop: Uh, I don't know about five companies. We were told by our County Codes Administrator that there is another company looking in addition to the three...*

*Michael Walker: But you do have other companies wanting to come here. Why all of a sudden are they wanting to come here? They want to come here because... I don't mean anybody is stupid, I don't mean that at all but they're hoping to slick it past everybody before anybody realizes what's happening.*

*Just like them boys that told me like up in Massachusetts and stuff, they said man, you couldn't pay nobody to live by this stuff.*

*I mean, you think about 1,450...1500 acres. That's a lot of ground. When I sit on my front porch, I swear to God I can look straight ahead for three (3) miles and I can't even fathom the amount of panels that's gonna be in there.*

*So, they should be held to a high standard and if they don't like it, put it down in Florida. Go somewhere else. I mean, if you've got other companies; once they get one or two in here there will be more. I promise you, there will be. And they're gonna do whatever they can do. I mean, how are you gonna hold em to it? If they don't anything, how are you gonna...are you making them bond? Are you making them put up bond?*

*Brian Bishop: Yes.*

*Michael Walker: I mean, I just don't understand if they was to sell out and another company buys it, can you take and initiate the agreement with that first company; can you hold them to it and make them do it?*

*Because if they go, we're not doing it, take us to court. What are you gonna do?*

*I mean, all I'm asking, hey, I'm 70 years old, I can't lose that kind of...well, I can but I'm not going to lose that kind of money but we'll go to court and we'll find out if I have to lose it or not.*

*But all I'm asking is just make these rules more stringent and just, you know, don't let them just walk in here and do whatever they want to do. I mean, come out to my house, sit down on my porch and look and that's just 100-acre field. I mean, have any of you drove out around this area with all this stuff? I know you know what a lot of acres are but have any of you drove out to where it's at to just realize how far this is going to go. I mean, I'm lucky they ain't behind me. I'm lucky I have 11 plus acres but you know, hey, I don't want to be there until I'm 80 and then kill over and they have to bury my butt in the ground cause they can't get nobody to take my place even though it's brand new, I mean, this ain't right. And if the other companies come in here and they go other parts of this county, you know, you could possibly have people that could go bankrupt.*

*What about that one I just told you; \$370,000? What if they need to sell and they have to take such a big loss and just can't do it? It could cause somebody to go bankrupt like that. This company, they don't care. I mean, them girls, I liked them when they come in my house but when they told me it was like a tourist attraction, I knew right then, I said, oh Lord. You know? I mean, they was willing to tell you anything just to get you to....they was real surprised when I said I'm not saying for you not to come here but you have to have rules just like we do.*

*That's all I'm asking. Please re-think this, make the rules more stringent. The only thing they can do is just get mad and just go; we're not coming. I mean, you can't be gaining that much. The farmers are already paying taxes, I mean, where are we going to show any benefits*

*off of it? That part I ain't figured out. Are you gonna tax the solar panels? Will they be taxed?*

*Brian Bishop: We can't address that.*

*Michael Walker: I'm just getting at, I just don't understand how these solar farms are going to create any more money to this county, cause you can bet...I bet you all of it total, the one on this side of 416 and one on the other; I bet it won't create ten (10) jobs. You know, two men can cover a lot of ground and I mean, it just can't be. They just can't come in here and do what they want to do and I know as well as I'm standing here probably I'm going to wind up in court but they got the right boy here because I will take them to court. I mean, so help me God if I gotta sell everything I own, I will take it to court. They're not going to come in here and just ride roughshod on me and I'm just....y'all's first obligation is to the people of this county. I'm not trying to be smart, okay? I'm just talking, sometimes I might say things not the right way but, you know, your obligation is to see that the people of this county are taken care of, not some company. At least if you're a company, you know, you got the paper mill coming in out there, they're putting a lot of money out there. You know, they're going to be here for a long, long time.*

*I mean, these boy's, what kind of money are they putting in here? They can't be putting much, you know? If you want to take and be here for a long time, why wouldn't they buy they land? They don't want to buy the land; they don't want anything.*

*So, I mean, that's all I got to say. Can I get that paper?*

*Brian Bishop: It's been entered into the record; we have to keep it.*

*Michael Walker: But it's just for them, right?*

*Brian Bishop: Correct.*

*Michael Walker: Okay, alright. It's not public, right? You know, nobody needs to know my finance.*

*Chairman Dixon: It is a public record we're creating, is it not?*

*Brian Bishop: It is but I think what he means is we're not going to pass it out.*

*Michael Walker: Yeah.*

*Brian Bishop: Now be aware, if someone comes in and does a Freedom of Information Act request of the process or the appeals...*

*Michael Walker: Well, it's not that I really care about it, it's just that there's people that tend to get into people's business that don't need to.*

*Tommy Joe Fridy: It will be in the minutes.*

*Michael Walker: Okay, alright. Alright, I appreciate you listening to me rant and rave and please give us some consideration and just take care of the people of this county cause you just need to come out there and just take a look, just take a look and see how far this thing goes. I mean, it's going to be outrageous.*

*Okay, I'll give you another example. The farmer that owns the land across from me and we're friends, or was; anyway, the guys was pulling up posts and taking down wires and putting up new posts and I said, what are y'all doing? They said, all I can say is a person's got to raise a lot of corn to pay for this. I said, what do you mean, I said this company? They said no, it's the farmer having all this stuff moved. See? They done talked that farmer into taking down all them posts and moving wires. So, I mean, if they're going to lease the field for 40 years, looks like they would take it down. It's just things like that that's got me thinking a lot. Are these people on the up and up and are they going to do what they say they're gonna do and I'm willing to be they're not. Thank you.*

*Chairman Dixon: Anybody on the commission have any questions for this gentleman?*

*Thank you, sir. Thank you.*

I'll entertain a motion in regard to the Sebree Solar II Project Site Plan as presented. I believe we do have one (1) addition to the description concerning the vegetative screening for existing, occupied structures.

What is the pleasure of the commission?

***MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY X.R. ROYSTER TO APPROVE THE SEBREE SOLAR II PROJECT SITE PLAN, SUBMITTED BY SEBREE SOLAR II, LLC (SUBSIDIARY OF NEXTERA ENERGY RESOURCES, LLC (NEER) FOR THE PROPERTY LOCATED IN APPROXIMATELY 7 MILES SOUTH OF THE CITY OF HENDERSON AND DIRECTLY NORTH AND SOUTH OF THE TOWN OF ROBARDS, WEST OF US HWY 41 (US-41, NORTH OF STATE ROAD 416 (HWY 416) AND EAST OF US-41 A, CONTAINING APPROXIMATELY 1,460 ACRES. THIS IS SUBJECT TO THE SCREENING AGREED TO BY NEXTERA.***

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

Madame Secretary, please call the roll.

***KEVIN RICHARD – YES***

***BOBBIE JARRETT – YES***

***MAC ARNOLD – YES***

***X.R. ROYSTER – YES***

***GARY GIBSON – YES***

***GRAY HODGE – ABSTAIN***

***STACY DENTON – YES***

***FRANK BOYETT – YES***

***HEATHER TOEWS – ABSTAIN***

Chairman Dixon: Excuse me, what was the last vote?

Heather Toews: Abstain.

Chairman Dixon: Thank you. The motion passes, thank you all. That concludes the public hearing portion of the meeting.

I'll entertain a motion to **leave public hearing**.

***MOTION WAS MADE BY MAC ARNOLD, SECONDED BY GRAY HODGE TO CLOSE THE PUBLIC HEARING.***

Brian Bishop: Mr. Chairman, may we take a brief break to allow everyone to shuffle out of the room?

Chairman Dixon: We have a motion and a second on the floor. All those in favor say aye.

***AYE: ALL***

Chairman Dixon: Next on the agenda we have the **May Finance Report**. I believe Mrs. Curtis is going to help us with that.

Theresa Curtis: Yes, thank you. For the May 2023 Finance Report, we ended up at 91% of budget and we only have one (1) month left to go. All we need is approval.

Chairman Dixon: Any questions concerning the Finance Report?

I'll entertain a motion for approval.

***MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY X.R. ROYSTER TO APPROVE THE MAY FINANCE REPORT AS PRESENTED.***

Chairman Dixon: We have a motion and a second, all in favor?

**AYE: ALL**

Chairman Dixon: Any opposed? The May Finance Report is approved. The next is the **Bond Report**, Ms. Marks?

Jennifer Marks: Yes, thank you Mr. Chairman. There are three (3) items up for review on the bond update this month.

The first one is for SKN Properties for sign removal and the recommendation is that we extend the bond for one (1) year until the sign is completely removed. So, they have started the removal process however it is not completed and until that is completed we're suggesting extending that bond for a year.

The second project is Dirty Diesel. They had a bond for the entrance that they would have been adding in out at the riverport. At this point, no work has been completed on that so it is a recommendation to extend that bond for one (1) year at the same amount.

Then, the new Henderson Water Utility Facility. We had a bond for their driveways as well as the shoulders they would be putting in. The work is complete and the recommendation is to release that bond.

I just need a motion to move forward with those.

Chairman Dixon: Any questions for staff? I'll entertain a motion in regard to the Bond Report.

***MOTION WAS MADE BY X.R. ROYSTER, SECONDED BY FRANK BOYETT TO APPROVE THE BOND REPORT AS SUBMITTED.***

Chairman Dixon: There is a motion and a second, all in favor?

**AYE: ALL**

Chairman Dixon: Any opposed?

Very good. The next item are **Lots 1 & 2 of the Jonathan Newman Subdivision Preliminary**. Ms. Marks?

Jennifer Marks: Thank you Mr. Chairman.

So, Lots 1 & 2 of the Jonathan Newman Subdivision Preliminary plat have been submitted by Jonathan Newman for the property located in Henderson County at 16558 Griffin Graves Creek Road (PID#99-18.1), containing approximately 5.29 acres. The applicant is requesting preliminary approval for the two (2) lots in an Agricultural District.

It's been a little bit; I believe since we've had a Preliminary Plat. The Preliminary Plat has been submitted because there have been five (5) or more lots cut off of the original tract so, that is why he had to move forward with this. It's very similar to what we would see with our Minors that we approve in-house. However, because we are over that threshold for the definition of a minor, it is now into a major. It has been reviewed by the County Engineer as well as the County Codes Department and they are both on board for moving forward with this Preliminary Plat.

Chairman Dixon: We are talking about creating only one (1) additional lot? Or two (2)?

Jennifer Marks: Technically, yes. So, if you look at the subdivision, here; right now, where this line is, where we're making this division is one (1) large lot. So, all of this outlined in that dark, black line is currently an existing lot. So, we are dividing that lot into now two (2) lots. So, that is what you're seeing there.

So, there is an existing one (1) lot that we are now dividing up into two (2) lots.

Chairman Dixon: So, these two new lots; one (1) is approximately rectangular and the other one kind of wraps around it, is that what I'm seeing?



Brian Bishop: Mr. Chairman, there's only one (1) new lot. So, one (1) larger lot is becoming two (2) smaller lots and if I'm not mistaken, Mr. Bailey, the purpose of the new lot is for a new home construction.

Chairman Dixon: I'm just clarifying this major/minor thing.

Jennifer Marks: Correct.

Chairman Dixon: Any questions for staff on this?

I'll entertain a motion in regard to Lots 1 & 2 of the Jonathan Newman Subdivision Preliminary.

***MOTION WAS MADE BY KEVIN RICHARD, SECONDED BY MAC ARNOLD TO APPROVE LOTS 1 AND 2 OF THE JONATHAN NEWMAN SUBDIVISION PRELIMINARY SUBMITTED BY JONATHAN NEWMAN FOR THE PROPERTY LOCATED IN HENDERSON COUNTY AT 16558 GRIFFIN GRAVES CREEK RD (PID#99-18.1), CONTAINING APPROXIMATELY 5.29 ACRES; REQUESTING APPROVAL FOR TWO (2) LOTS IN AN AGRICULTURAL ZONE.***

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

Madame Secretary, please call the roll.

***AYE: ALL***

Chairman Dixon: Very good, thank you.

Moving on to the **Barret Boulevard Road Extension**, Mr. Bishop?

Brian Bishop: Yes sir. As the description on the screen says, this is the Barret Boulevard extension which will be south of Wal-Mart. There is there a map by any chance, please?

This will be extended from the existing cul-de-sac which is near the HMP&L building that is under construction. This will extend from this

current location to the ditch that is the existing that separates the parcels. This road will be built for two (2) reasons. One (1), for future commercial development on the city-owned property and this will lead to the Jagoe Subdivision which will be developed in the future. You may remember we held a rezoning for that property but we still have not seen a Preliminary Plat and related construction drawings. So, this road is being built in support of that subdivision.

There is approximately 945.2 linear feet of road being construction and Mr. Doug Boom is overseeing that for the city. He is here to answer any more detailed questions that you might have.

Kevin Richard: So, I think you said, just to clarify so, does this extension extend up to the property boundary with Jagoe?

Brian Bishop: Yes. Let us work on a better drawing real fast if you don't mind.

Jennifer Marks: Commission Richard, I think what you're asking is so, this is the current ending that they have...

Kevin Richard: The question I have is once this is complete; the city will not have to extend any additional road to Jagoe or whatever developer would have to extend the road the remainder...

Brian Bishop: Mr. Boom, is that correct?

Doug Boom: It will go across the creek; it extends across the creek.

Brian Bishop: Then Jagoe will pick up from there.

Doug Boom: Yes.

Kevin Richard: That was my question.

Brian Bishop: There should be a drawing that shows that.

Chairman Dixon: Your name sir?

Doug Boom: Doug Boom.

Chairman Dixon: Address?

Doug Boom: 222 First Street.

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

Doug Boom: Yes sir.

Chairman Dixon: Thank you. What else can you tell us about this?

Doug Boom: Currently, we are requesting subgrade into subgrade level. Right now, we've started our water line, today. It should be done hopefully within a week.

Basically, where we are right now is we're at the subgrade level where we're getting ready to stabilize the ground before we place any rock down.

Brian Bishop: Just so the Planning Commission remembers because it's been a while since we've done this; any public improvement that is going to be accepted into the city's system whether it be road, water line, sewer lines or things of that nature the Planning Commission must review and then give a recommendation to the city.

So, that is what we're doing with this appeal; for lack of a better word to describe it.

Chairman Dixon: Does staff have a recommendation?

Brian Bishop: Staff would recommend to approve.

Chairman Dixon: Can we go back to the overhead picture there? So, this road is going to extend from what we see there all the way to that tree line?

Brian Bishop: No. Doug?

Doug Boom: It is going to extend across the walking trail, across the ditch to the other side.

Chairman Dixon: Oh, okay. Past the tree line.

Doug Boom: Yes. We're putting in a 4x12 box culvert in the ditch.

Mac Arnold: Jagoe is actually on the other side of that tree line?

Doug Boom: Correct.

Frank Boyett: So, how is this going to impact the walking trail?

Doug Boom: It's not. The walking trail will continue right through it. We're just extending the walking trail across the road.

Jennifer Marks: This is the walking trail right here, right Doug?

Doug Boom: Yes.

Frank Boyett: So, there will just be a cross-walk?

Doug Boom: Yes, there will just be a cross-walk.

Frank Boyett: Gotcha.

Chairman Dixon: What of that land is owned by the city?

Doug Boom: All of it is owned by the city.

Jennifer Marks: Yes. This whole piece included, that we're on right here; this is also owned by the city. So, this half is as well as this...

Chairman Dixon: All the way up to Owensboro Health?

Jennifer Marks: These are the parcel lines here and I do not want to mis-speak but I know for a fact that this portion is as well as that portion is.

Brian Bishop: So, the portion that leads to the tree line that you see there is the portion rezoned for the Jagoe Subdivision. The portion west of the tree line the city plans to retain for commercial development.

Chairman Dixon: Okay. The two (2) other lots are probably commercial as well that are already served by an existing road?

Brian Bishop: Correct.

Chairman Dixon: Okay. Any other questions for this gentleman?

Any questions for staff? Thank you, sir.

I'll entertain a motion in regard to Barret Boulevard road extension.

There must be more questions.

***MOTION WAS MADE BY KEVIN RICHARD, SECONDED BY MAC ARNOLD TO APPROVE THE BARRET BOULEVARD ROAD EXTENSION CONSISTING OF 945.2 LINEAR FEET OF NEW STREET EXTENSION 37 FEET WIDE INCLUDING CURB AND GUTTER, AND DETAILS AS REVIEWED BY MR. BOOM.***

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

Madame Secretary, will you please call the roll?

***AYE: ALL***

Chairman Dixon: Very good, thank you.

Under Administrative Business, it has been pointed out to me that our next, scheduled regular meeting date falls on the 4<sup>th</sup> of July. We can all meet down here for some fireworks or we can move this meeting to Wednesday the 5<sup>th</sup>. I'll entertain a motion to do so if the commission approves, of course. Moving our next meeting to Wednesday, July 5.

***MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY MAC ARNOLD TO MOVE THE JULY PLANNING COMMISSION MEETING TO WEDNESDAY, JULY 5, 2023.***

Chairman Dixon: We have a motion and a second, all in favor say aye.

***AYE: ALL***

Chairman Dixon: Any opposed? Good, put that on your calendar.

Any other Administrative Business?

Brian Bishop: No sir.

Chairman Dixon: Mr. Bishop, I think you have one (1) item for other business?

Brian Bishop: I do, sir.

So, some of the Planning Commission member's may remember the Hwy 41 North Study that we commissioned from TSW Design Group. Amy Williams has worked with us in the past as well as the city. We feel like she does an excellent job.

At the recent Kentucky Chapter of the American Planning Association conference that Jennifer and I went to, Amy and her group won an award for that design; that plan. Amy was very nice to give it to us but we feel like all the credit should go to her because we just helped facilitate the plan. So, we would like to congratulate all the Planning Commission member's who contributed, the members of the public who were there to help out and specifically Amy and TSW Design Group because they did an awesome job as recognized by our peers in the Planning industry in the state. Good job Amy and TSW.

Chairman Dixon: Good. It was an interesting exercise. I think we might revisit that in the future.

Brain Bishop: I believe we will.

Chairman Dixon: Okay. Any other business someone would like to bring before this body?

If not I'll entertain a motion to adjourn.

***MOTION WAS MADE BY X.R. ROYSTER, SECONDED BY KEVIN RICHARD TO ADJOURN.***

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

***AYE: ALL***

Chairman Dixon: Any opposed? Thank you all, we stand adjourned.

***MEETING ADJOURNED AT 8:11 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, June 6, 2023 to the best of my ability.**

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**Heather Lauderdale, HCCPC Clerk**

**X**

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