

**PIKEVILLE/PIKE COUNTY/ELKHORN CITY
JOINT PLANNING COMMISSION
FEBRUARY, 2004
MINUTES**

BILL BLACKBURN:

I would like to welcome everyone here to our Pikeville/Pike County/Elkhorn City Joint Planning Commission. We do have a forum this evening, we have several items on the agenda. At this time, we'll, the meeting is being recorded. At this time we'll call the meeting to order and we have present Tivis Branham, Phenis Potter, David Sanders, John Elliott, Rick Gortney and Bill Blackburn. We'll be passing the register around here, if all of you would fill that out, we would appreciate it. I passed out to the commission some former bank statements for several months, if you'll look through those, I think we've only had one check taken out in the last six months and that was for the plaque for the Leon Huffman family. So if you'll look those over, with the approval of the commission, if there is no objection, I'm going to turn the key over to the post office box to Rick Gortney as our secretary/treasurer, and he will be keeping up with these statements in the future and reporting back to us as such, if there is no objection to that. Rick might be the only one that objects.

RICK GORTNEY:

No.

BILL BLACKBURN:

He says that he will be glad to do that. We are having the minutes that were recorded last meeting transcribed, we'll just do a brief statement. You had a couple of agendas, if you weren't able to attend the last couple of meetings there, and they have on them the items that were discussed and those items on there were approved, subject to there getting all the other approvals of the other parties, the fire chief and so forth, getting their approvals. Any questions or comments about the financial statements or the minutes as they've been stated? Questions or comments. There being none, the financial report and the minutes will stand approved as received and stated. Move on this evening to our- did you have anything else, Rick, that you need to add to all that?

RICK GORTNEY:

No, sir.

BILL BLACKBURN:

We'll move on, if there is no objection, to new business. And we have on the agenda this evening to consider a request for miner sub-division approval from Buddy Beiller. Someone here want to speak to that?

KAREN HARRIS:

Bill.

BILL BLACKBURN:

Yes.

KAREN HARRIS:

Mr. Beiller presented his application and plat map and he thought that it was self explanatory and if you have any questions on it.

BILL BLACKBURN:

Alright. We have discussed this for some time, it came before us some months ago, originally about this. This property is adjacent down there to Southeast Telephone, is there any questions or comments about this proposal. The Beiller home there extends out into a commercial area which is primarily used for a commercial area, a fairly good size lot, and they're wanting to cut off the rear of it, and I think sell that to Southeast Telephone so they can use it as a parking lot. Any of you familiar with that down there, it seems to lend itself very nicely to that. Any other questions or comments on this? Do I hear a motion for approval?

PHENIS POTTER:

If no one objects to it, I make a motion we approve it.

BILL BLACKBURN:

Alright, Phenis has made a motion for approval, is there a second?

TIVIS BRANHAM:

I second it.

BILL BLACKBURN:

Tivis seconds the motion, we'll have a role call.

Tivis?

TIVIS BRANHAM:

Yes.

BILL BLACKBURN:

Phenis?

PHENIS POTTER:

Yes.

BILL BLACKBURN:

David?

DAVID SANDERS:

You know I will abstain because of our involvement in the project.

BILL BLACKBURN:

Rick?

RICK GORTNEY:

Yes.

BILL BLACKBURN:

John?

JOHN ELLIOTT:

Yes.

BILL BLACKBURN:

And the chairman will abstain. Alright we will move on

to the next item of business there, considering approval of a sub-division plat for Concept Lodging Development. Someone here want to speak to that?

_____:

Sir, I think the last time this came before you we had issues that we _____ I think it's called a _____
_____ That's when there _____

BILL BLACKBURN:

These are the ones that tried to buy our-, or addressed last time?

_____:

Yes.

_____:

BILL BLACKBURN:

Did you all want to make any comments as to revisions or anything that've been made?

_____:

My understanding is that the replacement _____
have been shown on our last plat, if you've a copy of it _____

BILL BLACKBURN:

As I remember, last time we discussed some issues about drainage with Mr. Penn and all that, have all those been pretty much resolved?

_____:

I think so. Mr. Blackburn may be able to, you know, correct me, you know, if it's not. We've agreed with the city to help donate some money to solve that problem, and I think the city is waiting for us, you know, to accept it as their responsibility to want or for that working out in the usual speed. I don't know what the result of that actually is this morning. It is my understanding that _____ and the city have reached a verbal agreement to pass that _____

_____.

_____:

But that's through _____ issues, just using the storm sewer systems.

_____:

I believe the city has that technician _____.

_____:

We have spoke with Mr. Harrison and Mr. Penn, and we had an agreement with Mr. Penn to, a verbal agreement, and he's kind of backing out of it, and _____ going to _____

Mr. Harrison's put forth a good faith effort, and we're inclined to get some money forth, as well as some other issues to take care of _____.

BILL BLACKBURN:

As I remember now, and Johnny Green you were in on some of this discussion last, there is a number of issues that were being discussed here, as far as checking with the city attorney and the city manager, as far as the drainage, there was a number of items I think that were discussed last time.

JOHNNY GREEN:

The other issue I think we had was concerning traffic volumes _____. I think we presented to you a traffic study that we technically needed to review, and that traffic study was _____ or release, and I think that at one time it would be _____ comments to be concerning their review of that traffic study.

BILL BLACKBURN:

Where do we stand on the traffic study and so forth, Johnny Green?

JOHNNY GREEN:

Okay. We are _____, I asked _____ getting the Article 331-38A, which _____ intersections _____ more legal issues, but we created a _____ a preliminary report _____ east _____

_____. We feel that, after _____
and to study it a little bit, we just _____

traffic congested at each of the _____
_____.

BILL BLACKBURN:

I think right now Jim, from what I'm hearing, this may be just a little premature for us to approve until all these other, until you got the approval of the Technical Advisory Committee and the fire chief and the county health officer and the water utility agent, you'll need to get all their write offs and approvals on this first, before we sign off on it. So it maybe a little premature right now.

DONOVAN BLACKBURN:

_____ we still have a little problem with that drainage _____.

BILL BLACKBURN:

And again its Donovan, isn't it.

DONOVAN BLACKBURN:

Yes.

BILL BLACKBURN:

I know why they hired you ,I figured it out when I came in tonight. Because they didn't have to change the name plaque. You've heard that many times haven't you. We welcome you this

evening. I knew there was something special about it, because you're a Blackburn, see. I think, too, that you all would need to still, from what I'm hearing from you, this is still sort of up in the air, it's not solidly been worked out and agreed to, the drainage situation with Penn and so forth.

DONOVAN BLACKBURN:

Correct. It's been agreed to, Mr. Harrison has agreed to what our demands are, but Mr. Penn has not.

_____:

_____:

_____ my subdivision.

BILL BLACKBURN:

I would think if, you know, if the city manager says you all have done your part, and worked out your end of it, then that would probably, and I'm not, I don't want to speak for the whole commission, I want them to speak up, but I think that would suffice for that issue, as long as he got your all's approval on that end of, how does the rest of the commission feel about that?

_____:

The main thing is because in the past we waited for the approval of the other entities before we approve it.

BILL BLACKBURN:

Right. I was just talking about this one issue with the.

_____:

_____ side agrees to a new storm sewer system is constructed, _____ there's only a very small portion of it _____ the original system in front of, that's the system they'd want an escrow analysis done on _____ proposed _____.

_____:

But isn't it capped over 90%.

_____:

Yes, it's operating currently at about 90% _____

_____.

BILL BLACKBURN:

Let me ask that and understand what you're saying, you're saying right now that the drainage is at 90% capacity?

_____:

Yes.

BILL BLACKBURN:

And with the additional building it will just take it up to 97%?

_____:

Yes.

_____:

BILL BLACKBURN:

Well, all these other items are going to have to be okayed before we sign off on this, and if Donovan Blackburn and the city, you know, approves the drainage. Are you all involved in that drainage, Johnny Green?

JOHNNY GREEN:

Yeah, we can _____ what the position is, in fact a decision _____ where it's at, with the construction done, _____, and that puts us in an awkward position _____ construction deals that we're trying _____

_____.

_____:

You got the cart before the horse.

_____:

_____.

BILL BLACKBURN:

Well, won't the water utility agent down here, whoever that is, won't they come in on this drainage situation as well?

_____:

I think you will have to give _____

_____.

_____:

It's not my understanding at this time are the utilities part, that particular aspect _____.

BILL BLACKBURN:

Well, soon as you get the other, what's the will of the body here. What's the will of the commission here, do you feel like we ought to wait to get all these-, well I know we have to that's the law, but we need to get all these other signatures on here before we sign off on our approval. Any other discussion on this plat or it's approval? Any other discussion? Is that all of our business. If there is no other business from the floor, do I hear a motion for adjournment?

PHENIS POTTER:

I make a motion.

_____:

I second.

BILL BLACKBURN:

The motion made and seconded. All in favor I?

COMMISSION:

I.