

MEETING  
PIKEVILLE/PIKE COUNTY/ELKHORN CITY  
JOINT PLANNING COMMISSION  
AUGUST 12,2008

ATTENDING: John Elliott, Mark Sanders, Rick Gortney,  
Layne Tackett, Phenis Potter, Jimmy Kiser and Bill  
Blackburn.

BILL BLACKBURN:

At this time our meeting will come to order and I'll  
ask Judy, if she will, to call the role.

JUDY COLEMAN:

John Elliott?

JOHN ELLIOTT:

Here.

JUDY COLEMAN:

Mark Sanders?

MARK SANDERS:

Here.

JUDY COLEMAN:

Rick Gortney?

RICK GORTNEY:

Here.

JUDY COLEMAN:

Layne Tackett?

LAYNE TACKETT:

Here.

JUDY COLEMAN:

Phenis Potter?

PHENIS POTTER:

Here.

JUDY COLEMAN:

Jimmy Kiser?

JIMMY KISER:

Here.

JUDY COLEMAN:

Bill Blackburn?

BILL BLACKBURN:

Here.

The next thing on our agenda is the approval of the minutes from the June 10<sup>th</sup> meeting and everyone that's here received those. Any questions or comments about the minutes? If there's no objection, they'll stand approved as received. Move on to the treasurer's report, Mr. Rick Gortney.

RICK GORTNEY:

The month of July we had a beginning balance of \$14,801.99; we had expense of \$42.00 for our box rent at the postal service; we earned \$3.14 in interest, and leaves us a balance of \$14,763.13.

BILL BLACKBURN:

Any questions or comments about the financial report? If there's no objection, it will stand approved as stated. Appreciate Rick's good work as the treasurer. Move on to consideration of approval of the city of Pikeville zoning map. I was hoping the mayor or Donovan and Rusty were gonna be here this evening. I think they had some concerns about it and just couldn't make it.

ROBERT SMITH:

You get the low end of the totem pole, Bill, I'm

sorry.

BILL BLACKBURN:

Well now, you're not that, by any means.

ROBERT SMITH:

We, I know, I guess you guys have seen the zoning map, taken a look at it, and we would like, the city, would like for you guys to vote on it one way or another, on its approval.

BILL BLACKBURN:

You all have received the zoning map. It included the area that's been somewhat under dispute, going out the north end, north 23 and down to the airport. I don't even know what particular areas of that are under dispute, but it included that in the revised zoning map. I have questioned the -- Did you ever ask Rusty about that or get him to address that?

ROBERT SMITH:

I did ask him, and the fact of the matter is it will not be resolved for months and maybe years.

BILL BLACKBURN:

If you all had the chance to look over all the rest of it, I looked, I didn't see any problems with it. I think the only

question we had the last meeting or so was just whether the Coal Run part and how that -- What's the will of the body?

LAYNE TACKETT:

Well, did you say that Donovan and Rusty might have a problem with something?

BILL BLACKBURN:

No, we had talked about it and they had mentioned to us about even having a meeting and I just thought that they would be at this meeting.

LAYNE TACKETT:

In that case I move that we approve the map as presented.

BILL BLACKBURN:

Is there a second?

RICK GORTNEY:

I second.

BILL BLACKBURN:

Alright, motion has been made and on the floor. Should we put a caveat in there that maybe says that we're knowledgeable that it is under dispute in the Courts, and of course

that it is subject, our approval of it, would be subject to the Courts ruling on the annexation and so forth?

LAYNE TACKETT:

If we do that, that means it would not be in effect until the thing was determined.

BILL BLACKBURN:

Unless we just said, specifically, the part that's being annexed.

LAYNE TACKETT:

That's what I'm saying though, that part would not be approved, maybe for years.

BILL BLACKBURN:

Well, I think that if we worded it and said that we approve the city zoning map, because, I think, in essence -- Robert, you help me out on this. But, in essence, that part that's being disputed right now, are you presently acting as a building inspector in that part and approving what can be built there or not be built there?

ROBERT SMITH:

There's nothing being built there right now,

anywhere.

BILL BLACKBURN:

The point being, it seems a little presumptive on us to, I don't have any problem with it if it were a done deal and if that were passed and already been resolved. It just seems a little presumptive on our part in an area that's being disputed, and in the Courts for resolution, for us to say, "Yes, we approve this city zoning in that area." If we put a caveat in the motion that maybe said...

LAYNE TACKETT:

Until such time as settled by the Courts.

BILL BLACKBURN:

Yeah, and that would become, retroactively, then approved.

JIMMY KISER:

Then you would have an approved map with the rest of the city.

BILL BLACKBURN:

Yeah, well, the rest of it will be approved anyway. The caveat is just saying...

JIMMY KISER:

Will it be, if we don't vote on it, on this new zoning map?

BILL BLACKBURN:

We could say we approve all the present city zoning map changes except for that part that's in dispute in the Courts, we approve all the rest of it and approve the part's that in dispute, but it will become active...

JIMMY KISER:

When it's resolved.

BILL BLACKBURN:

When it's resolved.

LAYNE TACKETT:

I, I don't know. I have a problem with that. The city wants you to approve or disapprove right now.

JIMMY KISER:

The way I think...

ROBERT SMITH:

Yes, sir, Mr. Tackett, you're correct, we would like to see it approved or disapproved, as it is.

LAYNE TACKETT:

I can't see holding it up for years on that particular section. I think we ought to approve it all or approve none.

BILL BLACKBURN:

What about the rest of you?

JIMMY KISER:

I think that you're wanting the part that's not resolved approved?

ROBERT SMITH:

Yes, all of it. We would like the zoning map, as it is right now, approved or disapproved.

BILL BLACKBURN:

I just, I'm a little uncomfortable approving the parts that's under dispute. It's not that I disapprove what they're recommending, I have no problem with it. But it just seems presumptive on our part knowing the situation to say we're approving, I mean, as the Pike County Joint Planning Commission, Pikeville City/ Elkhorn City/ Pike County Joint Planning Commission, it just seems a little -- Outside of that I have no

problem, I don't have a problem with what's recommended there on annexed parts. It's just the fact that it's in the Courts right now seeking to be resolved and it would seem, just to me, I'm just speaking individually, it just seems to me that that's a little presumptive on our parts, and a little heavy handed, until it's resolved.

JIMMY KISER:

You don't do any building inspections or anything in that area?

ROBERT SMITH:

As of right now, there's nothing being built in that area.

JIMMY KISER:

What if somebody went...

ROBERT SMITH:

To be inspected.

BILL BLACKBURN:

What if somebody went in tomorrow and started building?

ROBERT SMITH:

I will, if it's in the city limits, actually, physically, right now in the city limits, then I would write a building permit and I would do the inspection.

JIMMY KISER:

Even in the part that's not resolved?

ROBERT SMITH:

That's a good question, and that's a question for Rusty Davis.

JOHN ELLIOTT:

The other question is too, if the person who's building it, they don't recognize, they're not on the side of the city.

ROBERT SMITH:

That's a valid point also.

JOHN ELLIOTT:

They wouldn't necessarily come to you for a permit?

ROBERT SMITH:

That's correct.

JOHN ELLIOTT:

Or to us for an approval or a change.

BILL BLACKBURN:

Well, the motion is made to second. Any other discussion? Another comment we could make, did Rusty, you asked Rusty about this and he said it was legal to go ahead and do this?

ROBERT SMITH:

Rusty, specifically, and Donovan both, have asked me to ask this commission to approve or disapprove the zoning maps as they stand right now.

CLERK:

I may have an email from Rusty, because I did address this with him. He emailed me back but I can't say, specifically about the last meeting, I have an email from him if you want me to go get it.

BILL BLACKBURN:

Yeah, if you would, I'd appreciate that. Can we table that just for a moment and come back to it when she gets that email? An item that was added late, and I discussed this with

the city clerk, we'll wait until she's back, is the approval of Cedar Creek Development, Phase 7. Is that why you're here, Kenny? Let's come back to that, if you all don't mind, 'cause I want her here and want to ask a question or two.

Next item up is item number VI, consider approval, request for approval, with AT&T for pole location on existing support tower on Bent Mountain. You all have received that packet, they're wanting to co-locate a tower on Bent Mountain. What's the will of the commission?

JIMMY KISER:

Is that what we want?

JOHN ELLIOTT:

I move to approve it.

BILL BLACKBURN:

Motion made to approve it, is there a second?

JIMMY KISER:

I second.

BILL BLACKBURN:

Any other discussion on the motion? Judy, if you will, call the role.

JUDY COLEMAN:

John Elliott?

JOHN ELLIOTT:

Yes.

JUDY COLEMAN:

Mark Sanders?

MARK SANDERS:

Yes.

JUDY COLEMAN:

Rick Gortney?

RICK GORTNEY:

Yes.

JUDY COLEMAN:

Layne Tackett?

LAYNE TACKETT:

Yes.

JUDY COLEMAN:

Phenis Potter?

PHENIS POTTER:

Yes.

JUDY COLEMAN:

Jimmy Kiser?

JIMMY KISER:

Yes.

JUDY COLEMAN:

Bill Blackburn?

BILL BLACKBURN:

Yes. Second one up is for co-location of the tower at Belcher, Kentucky.

JOHN ELLIOTT:

I make a motion we approve it also.

BILL BLACKBURN:

Motion made by John Elliott; is there a second?

LAYNE TACKETT:

Second.

BILL BLACKBURN:

Seconded by Layne Tackett. Motion made and on the floor, is there any other discussion? Judy, if you will, call the role.

JUDY COLEMAN:

John Elliott?

JOHN ELLIOTT:

Yes.

JUDY COLEMAN:

Mark Sanders?

MARK SANDERS:

Yes.

JUDY COLEMAN:

Rick Gortney?

RICK GORTNEY:

Yes.

JUDY COLEMAN:

Layne Tackett?

LAYNE TACKETT:

Yes.

JUDY COLEMAN:

Phenis Potter?

PHENIS POTTER:

Yes.

JUDY COLEMAN:

Jimmy Kiser?

JIMMY KISER:

Yes.

JUDY COLEMAN:

Bill Blackburn?

BILL BLACKBURN:

Yes. What you have before you, let me just go ahead and explain this, is this preliminary plat on Cedar Creek. That's why Mr. Kenny Leatherman is here this evening. We got this in late, it did not get in the agenda, in the paper or on the agenda; it was mailed to you. I asked the city clerk to check. Does she go by Becky or Rebecca? I asked Becky to check on that and we'll check with her when she gets back. This is the first I've seen of it. We'll check if it went through the other steps and so forth. One thing I was a little concerned about and I wanted Becky to have, and I'm sure it's gonna be fine, but I wanted Becky to check on, is if it didn't get in the paper. Technically, what we'd be meeting on is, we're required by statutory law to advertise that agenda in the paper and then if we come in here and meet on

another item, I was a little concerned about that and I wanted her to check with Rusty just to make sure that we were, you know, it might be questioned if we started addressing a matter such as this, someone might come back and say, "Well, I didn't see that, I looked at the agenda in the paper and I didn't see anything about that being voted on.", And we would, I guess that's one of the reasons for the law. I asked her if she might be able to send out a revised agenda and maybe get a revised agenda in the paper if time permitted. But if Rusty says we're okay with the statutes then I don't, I know you men, as well as I, all of you serve on this just out of your goodwill, I appreciate that and respect that. I want things to be done properly without even a hint of impropriety.

JOHN ELLIOTT:

Could we ask Kenny some questions?

BILL BLACKBURN:

I think even if we don't take action on it -- Layne, you might help me with this, you may know, that we could discuss this without taking action on it. I'm not definitely sure about that, to be honest with you.

LAYNE TACKETT:

You can discuss anything you want to.

BILL BLACKBURN:

Alright, go ahead.

JIMMY KISER:

Tell me where we're located here because I haven't placed it in my mind yet.

KENNY LEATHERMAN:

Those are the, that's the flat up behind the assisted living, just before...

JOHN ELLIOTT:

It's on the right side going up there?

KENNY LEATHERMAN:

That's where they gave me, it kind of covers that right half. Does -- It shows the power easement.

JOHN ELLIOTT:

Yes.

KENNY LEATHERMAN:

Okay, that would be the power easement coming off of that substation down on the road and then go up that point

and then across up that point then out over the assisted living.

BILL BLACKBURN:

While we're waiting on her to get back, my son-in-law serves in a smaller city in the state as a city commissioner and he's talked about some of the things that they're trying to get implemented in their city; and it really made me think and appreciate about how our county has evolved and having things like we're discussing tonight. Because a lot of these cities don't, and it made me real thankful for those who went ahead of us and implemented these agencies and programs and the progress they've made. I think, didn't you serve on the original?

LAYNE TACKETT:

Well, some time after the original, many years ago.

BILL BLACKBURN:

Layne was one of the early ones back on the joint planning commission. I think it's been operating about 18 years or something like that. It made me appreciate all this stuff, 'cause he's just right now in their city, they're trying to implement these things and that makes me very proud and I just want to express to

you all my appreciation for you serving on this 'cause I think it is very progressive for our community. Becky, do you prefer Rebecca or Becky?

REBECCA HAMILTON:

Either. It's really a third party email and it doesn't tell specifics, it just tells us...

BILL BLACKBURN:

Let's go back to that and deal with that and then we'll deal with this. We'll come back to Layne's motion that has been tabled and bring it back on the table if there's no objection. One thing we could do, this is just a suggestion, if we decide to just go ahead and take a vote, flat up or flat down, we'll do that. One thing we could do is to put a caveat on there subject to Rusty saying it is legal, statutorily correct to do that. If it's statutorily correct according to the city attorney to do that, well that's one of the reasons, hoping it would be, when it's in the Courts being decided on. I believe, even though I don't have a problem with that, with the annexation, I think I'd have a problem voting for it knowing the status of it right now.

JOHN ELLIOTT:

I agree with you and I feel like if it's important enough for the city to get it approved, that they should have had the city attorney here to answer your questions.

REBECCA HAMILTON:

He had a deposition and couldn't be here.

JOHN ELLIOTT:

We could always call a special meeting.

JIMMY KISER:

That's what I was getting ready to say, call a special meeting in two or three days or something.

BILL BLACKBURN:

Well, they did suggest that at the last time and we could do that.

ROBERT SMITH:

You do have a motion on the floor right now.

BILL BLACKBURN:

Alright, we're still discussing it, as well. Is there any other discussion on this motion?

LAYNE TACKETT:

If it will make any difference to you, I would be willing to put in that caveat to it being, stand approved, if approved by Rusty Davis, city attorney.

BILL BLACKBURN:

It being statutorily correct. Do you want to amend your motion to state that?

LAYNE TACKETT:

Sure, yeah.

BILL BLACKBURN:

Layne amends his motion to state that. Who seconds his motion?

RICK GORTNEY:

I did second.

BILL BLACKBURN:

You agree to amend your motion to that?

RICK GORTNEY:

Yeah, with that in it, I second.

BILL BLACKBURN:

Motion has been made and amended to state that

we'll approve the city zoning map contingent to the city attorney's approval that it is statutorily correct. Any other discussion? If not, clerk, call the role.

JUDY COLEMAN:

John Elliott?

JOHN ELLIOTT:

Yes.

JUDY COLEMAN:

Mark Sanders?

MARK SANDERS:

Yes.

JUDY COLEMAN:

Rick Gortney?

RICK GORTNEY:

Yes.

JUDY COLEMAN:

Layne Tackett?

LAYNE TACKETT:

Yes.

JUDY COLEMAN:

Phenis Potter?

PHENIS POTTER:

Yes.

JUDY COLEMAN:

Jimmy Kiser?

JIMMY KISER:

Yes.

JUDY COLEMAN:

Bill Blackburn?

BILL BLACKBURN:

Yes. Let's move on down, back down, to the Cedar Creek. Rebecca, what I was going to ask you, you got my email Thursday?

REBECCA HAMILTON:

Yes.

BILL BLACKBURN:

Did you have a chance to check with Rusty on this? We had several...

REBECCA HAMILTON:

No, he didn't call me back. He was, he had to...

BILL BLACKBURN:

I explained to them while you were out, my concern with it is I think the reason for the law, and let me say this, this has nothing to do with, the Bowles Family Partnership has done things right by the book down through the years. They've approved a number of these phases and are very cooperative with the city and all of this development and have a very good history, probably one of the very best, with the city; so it has nothing, absolutely nothing, to do with that. It's just, my concern was, with it, after I talked to you that morning then I got the paper and I got the agenda and that's why I emailed you back and said we might better send out a revised amended agenda and maybe amend it in the paper. Because I think the very purpose of the statute with the state is that they want those items publicized before the public, before their discussed in the meeting. That way the public can't, they're out to protect the public. Someone can't come back later and say, "If I'd have known that Phase VII was gonna be discussed on Cedar Creek, I'd have been there at the

meeting.”, and it was not in the paper, it makes us look bad. That was my concern, that’s why I wanted to check. At the same time, I don’t like holding these developers up.

LAYNE TACKETT:

Does that present any problem for your group, Kenny?

KENNY LEATHERMAN:

That would depend on when your all’s next meeting is and when we could have this reading done twice. This is only the first of two readings, is that correct?

LAYNE TACKETT:

Yes. Well, what was the scheduled meeting?

BILL BLACKBURN:

October is the next scheduled meeting, the second Tuesday in October.

JOHN ELLIOTT:

You’re saying two readings, we don’t have to do readings. What we have, what our thing is, we have to notify the public. It’s kind of enforced, if there’s anyone wanting to object.

KENNY LEATHERMAN:

There's only one reading to the change of the zoning?

BILL BLACKBURN:

This has been through all the other, it's been before the Technical Advisory Committee and been through the proper -- Has it been before any of these agencies?

REBECCA HAMILTON:

My understanding, it has.

BILL BLACKBURN:

Mark White, has it been before his group?

JOHN ELLIOTT:

We can't even approve it before them.

BILL BLACKBURN:

Technically, we're the last ones in chain to...

KENNY LEATHERMAN:

I'm sure if that's the order of...

BILL BLACKBURN:

Who's handling, is Summit handling this for you all?

KENNY LEATHERMAN:

Yeah. You know, it would have been handled that way. My understanding was at this point then there are two readings making it public and offering the public the opportunity to object, you know, and if this isn't the first then the whole thing is delayed until October, in which case then we're already on the cusp of the winter months and development probably really couldn't get well under way until spring.

JOHN ELLIOTT:

Does it have to appear twice before us?

BILL BLACKBURN:

It has to be, it has to go through twice.

JOHN ELLIOTT:

In the paper?

BILL BLACKBURN:

I'd have to check on that.

LAYNE TACKETT:

Has the News-Express requested any information about any meetings?

REBECCA HAMILTON:

I automatically send it when I do the agenda.

LAYNE TACKETT:

I know you automatically send it, but have they ever requested it?

REBECCA HAMILTON:

No.

LAYNE TACKETT:

Then you don't have to post it in the paper then, if they have not requested it. If you posted it here in this building 24 hours ago.

BILL BLACKBURN:

We did have the agenda out in the paper, though, with what was going to be on the meeting tonight. Well, again, what we can do here, let's look it over first of all. If there's any questions or comments about it. We can pass it, and again, that's why Rusty wasn't able to get back with you, but the subject, Rusty saying that we are in agreement, statutorily, with doing it in this manner, I'm sure that Summit and Kenny and the family would want that, as well. We don't want to do anything that has the

appearance of being improper, in any way.

LAYNE TACKETT:

I'm sure that neither party would want that.

BILL BLACKBURN:

Neither of those parties would.

LAYNE TACKETT:

At the same time---

JOHN ELLIOTT:

And the other part being, if we have to meet back again on this, we don't have to wait until October, we can call a special meeting.

BILL BLACKBURN:

Right, and it looks like, well, we've took care of that with the caveat and Rusty, but he may want to have a special meeting, I don't know. But if he says it's alright, that's one of the reasons I mentioned it the other day and he wasn't able to get back, that was my only concern about it, if he said it was alright, I had no problem with it.

JIMMY KISER:

It's already went through the TAC people and

everybody?

RICK GORTNEY:

They've not signed it.

LAYNE TACKETT:

Basically, what, it's a hearing to give people a chance to oppose or approve or whatever.

BILL BLACKBURN:

Do you all see anything on there, at all, that you have any problems with or concerns about?

RICK GORTNEY:

Just the lack of signatures.

BILL BLACKBURN:

Which we'd be the last to sign off on it, anyway.

LAYNE TACKETT:

But we're not always the last on the first time to approve, on the preliminary.

BILL BLACKBURN:

Right, that's correct, preliminary plat, he's right.

LAYNE TACKETT:

We can go ahead and approve the preliminary

plat.

BILL BLACKBURN:

Do you all see, just looking over it right now, do you see any problems with it? Do you have any questions for Kenny? This is behind the assisted living building there at Cedar Creek.

LAYNE TACKETT:

How many lots are proposed there, Kenny?

KENNY LEATHERMAN:

Is it marked on there?

BILL BLACKBURN:

What we'll be able to do—

JOHN ELLIOTT:

The highest number I see on it is 22.

LAYNE TACKETT:

Twenty-two. That's in a cul-de-sac, right?

BILL BLACKBURN:

Yeah, there's a cul-de-sac involved in it.

JOHN ELLIOTT:

Now this is up above the assisted living. It's up

on the left point.

BILL BLACKBURN:

Any questions or comments about this plat? Let me see if I can put this together. I believe it's the will of most of us to see that things are done correctly; we're trusted on this commission with doing that. But at the same time, we're very conscious of not wanting to hold any development up with undue red tape. Does that express it pretty well? Any questions or comments?

LAYNE TACKETT:

I believe that we would be okay to approve it as a preliminary plat. We're not giving it final approval.

BILL BLACKBURN:

And we can, again, put the caveat, with Rusty checking to make sure it's statutorily correct.

JOHN ELLIOTT:

Well, this is stated as a preliminary plat.

BILL BLACKBURN:

Any other discussion? Motion?

LAYNE TACKETT:

Subject to Rusty.

PHENIS POTTER:

Subject to Rusty.

BILL BLACKBURN:

Motion made by Layne, seconded by Phenis. Any other discussion on the motion? Clerk, if you will, call the role.

JUDY COLEMAN:

John Elliott?

JOHN ELLIOTT:

Yes.

JUDY COLEMAN:

Mark Sanders?

MARK SANDERS:

Yes.

JUDY COLEMAN:

Rick Gortney?

RICK GORTNEY:

Yes.

JUDY COLEMAN:

Layne Tackett?

LAYNE TACKETT:

Yes.

JUDY COLEMAN:

Phenis Potter?

PHENIS POTTER:

Yes.

JUDY COLEMAN:

Jimmy Kiser?

JIMMY KISER:

Yes.

JUDY COLEMAN:

Bill Blackburn?

BILL BLACKBURN:

Yes. Couple of other administrative items here, and again, we want to check with Donovan and Rusty on this to make sure they're alright. Let me just give a little brief history. I've been on this for eight years, when I came on it eight years ago it was working very smoothly and it has for the last number of

years. Mark's father, David, served for, I think, 17 years, I think he was on here from origin or close to it. Layne served on it earlier, but when I came on to this eight years ago, believe me, it was working like clockwork and I was very impressed. Leon Huffman and several other men that were on it then, very impressed. What we were doing at that time was, Karen Harris was the city clerk and Karen, I guess, for the years that she had been on as city clerk?

ROBERT SMITH:

I think it was 30.

BILL BLACKBURN:

She knew the inside out of this whole process and what we would normally do is when someone for the county, Elkhorn, whatever, we'd just say, "Check with Karen Harris down at Pikeville City Hall." She would get them the packets and what they needed to do as far as the towers, cell towers, as far as the subdivision regulations and she knew the ins and outs of all this, the procedures they need to go for, what they needed to do and who it needed to go before. She would work in conjunction with the City Building Inspector and see that things were done and so,

usually, we just showed up at the meetings and all this was presented, we'd check with Karen, we'd look at Karen, "Karen, has the t's been crossed and the i's been dotted?", and Karen, "Yes, yes, yes." Or if we were doing something, she'd usually, most all of us were looking at Karen, a lot of us, she would say, "No, you all need to do this or that." We really relied on her, Phenix will attest to that, really relied on her quite a bit. As you know, she left and Rebecca is doing a great job, she's been very nice while she's being broke in or broken down, she's a go-getter and I've been very impressed with her. Robert is fairly new as the City Building Inspector and he has a big job in taking all this over and I think there's been a couple of changes there in the last eight years, but doing a good job and we appreciate both of them very much and the good work that they're doing. But that's the process has been done in the past and Rebecca is just learning all of this right now in getting this from Karen and getting these things nailed down. It's my interest, and let me say this with all sincerity, I love Pike County, I love our city and Elkhorn City, I love the county. It's my concern to see that we do everything first class, I don't think we have to be second rate to any other city in Kentucky and I mean

that. I think it's just a matter of our will, what we will do or won't do. It's my desire to see us be first and not follow example, but set the example. That's why I like to see things done the way they're supposed to be, above board and I don't think this, I've got too much respect for these men serving up here to think there just rubber stamps, they're not that. I wouldn't waste their time, I would resign immediately if I thought we were just rubber stamps. We've not been that, we're not gonna be that. We take this seriously, we do it out of the goodwill for our community and it's very important for us to see that things are done appropriately and properly. I don't like corners cut. I like the t's crossed and the i's dotted because it speaks of our community's integrity, who we are and what we are about. So I think we've gone through some transition but I want to see us get back to what I experienced when I came on here eight years ago and the way things were done and I respect developers and so forth and others who do it right. We've had some in the past that have tried to cut corners and not do it right and I resent that. It's disrespectful to our community and, above all else it's disrespectful to the people we serve in this community, and they entrust us to see that things are done

appropriately and properly. We live in the greatest nation on earth, as far as I'm concerned and we live a microcosm of it and one I'm very proud of and we're not some banana republic that does things under the table, second rate. I remember a gentleman several years ago got a site approval in another city and he said, "Yeah, we had to go see one of the magistrates and give them something under the table, that's just the way business is done." That sickens me, that's the kind of stuff I expect to hear taking place in Iran and other places, not the United States of America. I like things to be done honest, above-board, right on target. That's the kind of community I want to live in and being a part of. So when I express this stuff about I don't even want a hint of impropriety, that's the reason. That's the reason. That brings me to what I'm getting ready to say, Rebecca, as the city clerk, is preparing these agendas and we need to add, we've got two new members from Elkhorn and we need to see that they get an agenda, Steve Ruth, and Rebecca, his address is P.O. Box 516, Elkhorn City, Kentucky 41522. That's Steve Ruth, P.O. Box 516, Elkhorn City, 41522.

REBECCA HAMILTON:

Is that Ruth or Roof?

BILL BLACKBURN:

Ruth, R-U-T-H, and Scott Sykes, his address is P.O. Box 934, Elkhorn City, again, that's 41522. Let me give you their numbers real quick just in case you need them. Scott Sykes is 454-1860 and Steve Ruth's number is 754-4348.

REBECCA HAMILTON:

Are they replacing someone?

BILL BLACKBURN:

They're the new members on Elkhorn City and Steve said he couldn't be here tonight 'cause he already had a city council meeting in Elkhorn he had to attend. Scott was on his way back from Lexington, was gonna try to make it. So they'll need to get an agenda and it's just like you did this time.

JOHN ELLIOTT:

Whose places are they taking, Tim Belcher?

BILL BLACKBURN:

Tim Belcher and the mayor, I guess, Hank Salyers, the former mayor. I think everybody else is getting the

packet. That brings me to this, what do you all think, through the years this stuff has been funneled, as I said, through the city clerk. Then they may be referred to someone like Jimmy if it's something to do about the flood plain or something like that or someone in the appropriate county office or up to Elkhorn. But the city, you know, it's taking the city clerk's time and they may be fine with doing it, but they're doing it for the county and for Elkhorn, as well. These matters that come before us, they're doing it for the whole county, the paperwork that goes into printing this stuff, getting it out, putting it in the paper, her time being at these meetings and alerting and so forth. I thought it might be appropriate for us, we've got 14, what did you say, 14,000, it might be appropriate for us to reimburse the city so much for the activity of the city clerk. I was thinking, maybe, 1,000 or 1500 to the city for her time in taking care of these matters because they do involve -- They may not want it, or desire it, but it just seems fair to me, but I just bring that up. What do you all think?

JOHN ELLIOTT:

That's fine with me. What is our income right now? I want to make sure we don't run out of money.

RICK GORTNEY:

The only income we have is for the fees.

JOHN ELLIOTT:

And those amount to how much?

RICK GORTNEY:

Very little.

JOHN ELLIOTT:

That's what I'm saying. You need to be careful, because, I mean, there's a sizable amount of money in there for the time being, but at 1500 a year it will start...

RICK GORTNEY:

If you remember, when we first took it over, we were, basically broke, when I first started being the treasurer.

JOHN ELLIOTT:

We've got other expenses that come out of it, copies, mailbox, postage is not cheap anymore.

JIMMY KISER:

How much is a fee for approval on one, \$15.00, \$20.00?

JOHN ELLIOTT:

Well, it varies, according to what they're applying for.

BILL BLACKBURN:

According to what they're applying for. Again, that's one of the things, and Rebecca, bless her heart, is just -- You all listen, I served with this commission for several years, you wouldn't believe what all is on that girl's shoulders. I mean, it's unbelievable all the city clerk is involved in. I think the secretaries run the world anyway. What's the will of the body? Any other discussion?

LAYNE TACKETT:

I just want to know one thing, because it depends on the answer here, which way I say we ought to go. Does the city pay you for your extra time here tonight?

REBECCA HAMILTON:

No.

LAYNE TACKETT:

I say we give the money to her, if we're gonna give anybody any money.

REBECCA HAMILTON:

I'm not sure I could accept it.

BILL BLACKBURN:

Again, we have to check this with Rusty. That's why I mentioned that at the beginning. I just, I hear what you're saying, and we could do it as the money, and if the money and we can do it as a one time thing and re-address it next year according to the budget.

JOHN ELLIOTT:

I agree with what you're saying and don't question that, but I think it's something we, it's something we shouldn't make that decision here today, I think it's one that needs to be discussed...

BILL BLACKBURN:

Want to table it and think about it?

JOHN ELLIOTT:

Well, not even for us to think about, we need to ask the city's input of that.

BILL BLACKBURN:

Do I hear a motion to that affect? Let's table this

and let Rebecca check with Donovan and check with Rusty...

JOHN ELLIOTT:

Well I don't think it's fair to put it upon her either.

BILL BLACKBURN:

She probably won't mind.

JOHN ELLIOTT:

Well, I mean, you know, you don't want to go for your own behalf. I think it would be better if you could approach them on this subject.

BILL BLACKBURN:

Alright, I'll do that, I'll check with Donovan.

JOHN ELLIOTT:

I think that would be more...

JIMMY KISER:

And something like adding a couple of dollars to a fee. What would it raise you, you need to find out how much a few dollars on each thing raises it. That much more money per year, then that's not putting a big burden on anyone.

BILL BLACKBURN:

Which they are understand that.

JOHN ELLIOTT:

Don't take it that I'm objecting to the idea. I think it's a wonderful idea, but I just think that we need to take the proper steps.

BILL BLACKBURN:

Is that pretty much the understanding and the will of the commission?

JIMMY KISER:

Yes.

BILL BLACKBURN:

I'll check with Donovan and let him know what we're sort of thinking about and I even thought about, you get into some of this cross-agency stuff and whether you can exchange monies and that's what you're thinking about and I wasn't even sure about that. Seems like there's one other thing, this will make up for some of those real brief meetings we had. Let's see, I covered the paper up, I had that Summit Engineering and -- so we discussed those things. Any other thing from the commission? Fellows, again, we appreciate you all. Yes, sir?

SCOTT SYKES:

Scott Sykes, I'm late.

BILL BLACKBURN:

Scott, we welcome you and we welcome you to the Joint Planning Commission, appreciate your effort to get here. We mentioned earlier about giving, Rebecca Hamilton is the city clerk and giving her your name and address, you should be receiving an agenda in the future and so forth on the meetings. You want to tell us a little bit about yourself?

SCOTT SYKES:

Sure. I'm Scott Sykes, I'm president and founder of Genesis Development of Kentucky, LLC; it's Kentucky's first free energy company. We're looking to establish utility plants, wind energy projects on existing surface mining sites. Born and raised in Elkhorn City, worked with the Chattanooga Area Chamber of Commerce, involved in economic development, business, recruitment, things such as that. Just love this area, want to see it grow, want to see it prosper and that's why I moved back here.

BILL BLACKBURN:

Well, we welcome you , glad to have you.

SCOTT SYKES:

Thank you.

BILL BLACKBURN:

From what I've mentioned earlier about being part of this planning commission, let me tell you fellows something, the work you do here is very important. Sometimes -- I was in one community and they had poured blacktop not too long ago and this new development, Robert, and I mean, it's been some months before, and I mean there was, it looked like a moon crater, there was sink holes all through it. We're fortunate to have what we have in this community and to see the progress that's been made and to see that blacktopped roads and subdivisions are done right, the utilities is done right, the fire protection is taken care of, that the development is done right and that's what progressive communities, not the banana republic's do, that's what we do and that's what we want to continue to do. I appreciate you gentlemen serving on this, you do it simply out of goodwill and loving community and that makes a community a better place for all of us to live in and that's what we want to see as we do serve on this. Any other questions or comments before we close? Is there a

motion for adjournment?

PHENIS POTTER:

I make a motion we adjourn.

LAYNE TACKETT:

Second.

BILL BLACKBURN:

All those in favor?

EVERYONE:

Yes.

MEETING ADJOURNED