



CADIZ TRIGG COUNTY PLANNING COMMISSION

P O BOX 253

Cadiz, Ky 42211

49 Jefferson St.

MINUTES FROM FEBRUARY 25, 2025 MEETING

- Public Hearing Meeting called to order by Chairman Tom Lawson.
- Roll call by Secretary Jim Mullen to all Commissioners to answer verbally. Present were Commissioners Chairman Tom Lawson, Vice Chairman Mike Heffington, Secretary Jim Mullen, J. Oliphant, L. Rhudy, Judge C. Wilson, R. Clements, J. Mills, K. Culwell, G. Blakeley. None absent.
- A quorum was recognized.
- Chairman Lawson asked for persons needing to be disqualified from voting for reasons of conflicting financial interest. There were none.
- Attorney Stephen Underwood had comments concerning the Public Hearing. He cited KRS 100.209 as a Statute to show that the “City” is an entity that triggers annexation via their City Council meeting deciding whether a property is contiguous to a city boundary, appropriate for municipal use, and interested to say “I want to annex the property.” The “City’s request to the Commission will ask for a zoning recommendation. We do not have the authority to advise any property owner in the County to proceed with construction and the property owner should not rely on the Commission for permission. The subject property is in the County but not owned by the County. The “City” can decide to enjoin the Planning Commission who prepares the site work in conjunction

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with the Comprehensive Plan, has a Public Hearing, and votes to report back to the “City” to favorably annex the property. That is the positive movement of the process. The review of the Comprehensive Plan is to be sure that an amendment is not necessary after the assignment of zoning to the subject property for the City to consider adopting; Plan amendment is not always necessary. The Planning Commission usually does not initiate the annexation; intent to annex comes from the “City”. The “City” needs to receive a letter from the property owners with their wish to annex property. Attorney Underwood states the Planning Commission did not have or receive the intent to annex the property from the “City” initially. There was no letter from the property owners to the “City” to state annexation was needed. By statute, the “City” at their scheduled meeting, with their attorney review, follow KRS 100.209 and may give intent to the Planning Commission to proceed. That was not done initially. The Planning Commission will now wait until the owners give the notice to the “City” to begin the process. Attorney Underwood cautioned the board members of the Commission not to form any public opinions, the Comprehensive Plan is not in play and to wait until KRS 100.209 has been enacted by the “City”. Commissioner C. Wilson cited Article 151, Section 129 for the purpose of continuing the hearing but Attorney Underwood said the property was not yet annexed and still owned by the County.

A motion to cancel the Public Hearing was made by Commissioners Rick Clements and 2nd by Mike Heffington. The vote was unanimous by the Commissioners to cancel the Hearing.+++++

The Planning Commission regular agenda meeting was held in the PC Office approximately 6:45 after the cancelled hearing which started at 6:00 pm. Chairman Lawson asked the question concerning the proposed annexation property if construction can begin. Commissioner R. Clements commented it can begin whether annexed or not and the Planning Commission can annex later.

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MINUTES FROM FEBRUARY 25,2025

- Call to Order at approximately 6:50 by Chairman Tom Lawson.
- In attendance were all the 10 Commissioners from the Hearing.
- A quorum was established
- Minutes from January 28 meeting motion to accept by J. Mullen and 2nd by M. Heffington. Unanimous to accept.
- Financials showed -\$414.36 for February compared to the January Statement. More withdrawl than deposit.

There was a problem showing the difference in balance from the January Statement and February total of \$49,369.91. Treasurer Mullen will give the monthly report balancing from the monthly bank statement and then give added figures from the current month to avoid the confusion. Motion to accept the Financials given by K. Culwell and 2nd by G. Blakeley. Unanimous to accept.

Old Business

1. R. Clements distributed a fee schedule for Trigg, Murray and Christian Co. comparing various fees to determine if Trigg Commission was too high, low, or adjusted well. Clements noted the schedule for Christian Co. were actually fees from Oak Grove but reflected in Christian Co. M. Heffington noted the schedules were similar except for the added mailing expense. Heffington recommended including mailing fees and computer copying fees. Commissioner C. Wilson recommended Dimensional Variance and Conditional Use Permits, currently \$200, be in line with Rezoning fees which are \$500.00. These fee adjustments are recommendations and will be voted on in March to relay to the "City" for approval.
2. The Planning Commission received a new EIN for banking purposes and Commissioner J. Mullen was checking with the IRS to ascertain if a 990n postcard needed to be completed annually. Mrs. Painter from the IRS said our

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Planning Commission was exempt from filing the 990n and would send documentation to show our PC is indeed exempt.

3. Commissioner J. Mullen recommended an audit be performed on the PC as an audit has not been done. Commissioner Heffington recalls an audit being done several years ago but not recently. R. Clements recommended an audit tagging along with the City or County. Chairman Lawson and a few other Commissioners mentioned an audit but without a CPA. We just need bank statements, checkbook, deposit slips, withdrawl slips, and other financial articles be available for an audit. Commissioner Mullen will check with the "City" to discuss "tagging along" with them for an audit and will report next meeting. According to KRS 100.177 an annual audit shall be performed by an independant CPA or the Auditor of Public Accounts. Contrary, Councilman Todd Wallace, through the KLS, says an audit need not be performed annually.

4. Commissioner G. Blakeley introduced an article, Section 4.05, denoting "Advertising Restrictions" his points being Trigg Co. has many illegal signs in the City which should have not been placed. They are an eyesore and safety hazard at night and when it rains due to the glare emitting from the signs. Blakeley along with R. Clements will seek out other city signage and compare. Commissioner Blakeley goes on to comment, the City needs to enforce the ordinances through the Code Enforcer at the City Police Station. Blakeley also suggests ordinances with certain dimensions be used for signage and to follow the 4.05 guidelines. Commissioner Clements noted the City needs to want proper signage dimensions and signage in the City before the PC makes recommendations to go forward.

5. Chairman Lawson cited a program at the Trigg Co Museum, part UK and State Dept. that looks at unused buildings to give recommendations to revitalize and beautify. The group gives help on how to find grants and financial tips to meet the goals of revitalization/beautification. Free program at 1PM

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Wednesday February 26. Commissioner Clements commented this program could help with our beautification of Cadiz in relation with the signage.

6. Chairman Lawson asked for someone to take over the Treasurer position for the Commission saying Commissioner Mullen does both and can to both but for conflict of interest, it would be better to separate. Commissioner C. Wilson brought up the idea a few weeks ago citing conflict of interest. Chairman Lawson asked the Commission to consider volunteering for Treasurer.

7. Surveyor Matt Clark was present to ask the Commission to vote to amend/adjust lots 16 and 17 in Stonegate Subdivision in the County. Lot 16 would lose 2.5 feet and lot 17 would gain 8 feet and be a new plat by itself. The reason for the amended lots is to give the 10 foot side to side easement to both sides. Currently the HVAC unit on lot 17 is on the lot line between 16 and 17 and the easement is less than 10 feet on both lots. Commissioner Culwell motioned to approve and 2nd by Commissioner Mullen to amend the lot lines to reflect 10 foot easement on both lots. The vote was unanimous to approve by the Commission. Commissioner Culwell later stated to approve pending signatures by Commission members and Chairman signature last. Signatures will be forthcoming in a matter of days for the plat to be amended. The fee discussed was \$500 to amend the plat. Commissioner Clements was in favor of a late charge to double the fee. More discussion to follow. Several Commissioners noted more time should be needed to “digest” the information to make a valid judgement; that is, bring the proposed amendment to the PC a few weeks, a month before a decision needs to be reached for a thorough investigation and then make a decision after consideration.

8. By-Laws state the PC may have assistance in planning duties via an intern or paid staff person. Chairman Lawson cited the hours that Commissioners Wilson and Mullen put into the annexation process. A staff person could do a lot of pre-hearing paperwork and take a lot of work off the Commissioners. Commissioner Clements will look at Murray State Internship program which

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would cover Planning Commissions as a source of needing assistance. Commissioner Mullen will ask PADD Planner Angela Herndon her ideas.

Motion to Adjourn by Commissioner Heffington and 2nd by Commissioner Blakeley.

Next Meeting Tuesday March 25 at 6pm at 49 Jefferson.

Respectfully Submitted by Secretary Jim Mullen