COMMONWEALTH OF KENTUCKY
BEFORE THE KENTUCKY STATE BOARD ON
ELECTRIC GENERATION AND TRANSMISSION SITING

In the Matter of:

ELECTRONIC APPLICATION OF HENDERSON COUNTY SOLAR LLC FOR A CERTIFICATE OF CONSTRUCTION FOR AN APPROXIMATELY 50 MEGAWATT MERCHANT ELECTRIC GENERATING FACILITY IN HENDERSON COUNTY, KENTUCKY PURSUANT TO KRS 278.700 AND 807 KAR 5:110	)))))))	Case No. 2020-00391

NOTICE OF TRANSFER

Comes now the applicant, Henderson County Solar LLC ("Henderson County Solar" or the "Applicant"), by and through counsel, and hereby requests approval from the Kentucky State Board on Electric Generation and Transmission Siting (the "Siting Board" or "Board") for transfer of the Construction Certificate granted by the Board in its final order dated December 22, 2021 ("Final Order"), from AES Clean Energy Development, LLC to Stellar US Asset Co LLC.

I. Background

The Applicant is Henderson County Solar, a Delaware limited liability company organized on March 28, 2017. The Applicant is authorized to transact business in Kentucky and is in good standing with the Kentucky Secretary of State's office. Henderson County Solar's Certificate of Authority and Annual Report enclosed as Exhibit A.

On December 22, 2021, the Siting Board approved Henderson County Solar's application for a certificate of construction for the Henderson County Solar Project ("Project"). The Project is a 50 MW solar facility encompassing approximately 418 total acres in Henderson County, Kentucky. On April 20, 2023, the Applicant filed notice with the Siting Board, notifying the Board of a transfer of ownership of Henderson Conty Solar LLC from Community Energy Solar, LLC ("Community Energy"), to AES Clean Energy Development, LLC ("AES"). Subsequently, Henderson County Solar was then transferred to Stellar US Asset Co LLC, a wholly owned subsidiary of Stellar Renewable Power LLC ("Stellar Renewable Power"), on April 11, 2024, from AES.

II. Legal Standard

KRS 278.710(3) governs the process of transferring a construction certificate and the rights and obligations therein. It states:

> "A person that has received a construction certificate for a merchant electric generating facility shall[] not transfer rights and obligation under the certificate without having first applied for and received a board determination that: (a) The acquirer has a good environmental compliance history; and (b) The acquirer has the financial, technical, and managerial capacity to meet the obligations imposed by the terms of the approval or has the ability to contract to meet these obligations."

Further, mitigation measure 26 of the Final Order ("Mitigation Measure 26") also requires certain administrative actions and approvals when transferring the rights and obligations under an approved construction certificate:

> "If any person shall acquire or transfer ownership of, or control, or the right to control the Project, by sale of assets, transfer of stock, or otherwise, or abandon the same, Henderson County Solar or its successors or assigns shall request explicit approval from the Siting Board with notice of the request provided to the Henderson County Fiscal Court. In any application requesting such abandonment, sale or change of control, Henderson County Solar shall certify its compliance with KRS 278.710(1)(i)."

Thus, if an applicant demonstrates the transferee meets the two elements identified in KRS 278.710(3) it is proper for the Board to approve the transfer. Henderson County Solar meets these requirements.

III. Notice

In accordance with Mitigation Measure 26, Henderson County Solar has provided contemporaneous notice of this motion to the Henderson County Fiscal Court. See Exhibit B. Further, in accordance with KAR 103:010, Section 2, Form DWM 4652 has been contemporaneously filed with the Department for Environmental Protection, Division of Waste Management. See Exhibit C. As the Siting Board action did not involve additional parties, notice has been properly provided to all necessary entities.

IV. About Stellar Renewable Power LLC

Stellar Renewable Power LLC is a solar and storage development and operating company based in Dallas, Texas. It currently operates or is developing 61 individual projects located in 8 power markets throughout the United States. Its development pipeline totals approximately 15.8 GW of power generation.

Stellar Renewable Power LLC is a wholly owned subsidiary of Global Atlantic Financial Group (GAFG), which is a wholly owned subsidiary of KKR. KKR is a public company listed and traded on the NYSE. It has an A credit rating from both Fitch and S&P Global.

The leadership team of Stellar Renewable Power brings more than 100 years of management experience in renewable energy development and operation to the team. Team members have experience with some of the largest renewable companies in the United States, including SunEdison, AES, Nextera Energy, and SB Energy.

V. Acquirer Has a Good Environmental Compliance History and Possesses Appropriate Capacity to Develop the Project

Per KRS 278.710(1)(i), before the Siting Board can approve a certificate of construction, it must determine "[w]hether the applicant has a good environmental compliance history." The

Siting Board previously found that Henderson County Solar Project has a good environmental compliance history when the Board approved the construction certificate.

All of the following entities which are relevant to the management of the Project have a history of good environmental compliance: Stellar Asset Co, Stellar Renewable Power, and Henderson County Solar. None of these entities have incurred a penalty or settled an enforcement action with any state or federal agency. See Exhibit D for additional support.

a. Financial Capacity

The Siting Board in its December 2021 approval inherently determined that Henderson County Solar established it possesses the financial capacity to undertake the Project. The change in parent company to Stellar Renewable Power does not alter the Project's status as possessing sufficient financial capacity to undertake the Project. As discussed above, Stellar Renewable Power is financially backed by an A-rated entity. See Exhibit D for additional support.

b. Technical Capacity

The Siting Board in its December 2021 approval inherently determined that Henderson County Solar established it possesses the technical capacity to undertake the Project. The change in parent company to Stellar Renewable Power does not alter the Project's status as possessing sufficient technical capacity to undertake the Project. As discussed above, Stellar Renewable Power is currently operating and/or developing 15.8 GW of generation in 8 different power markets across 12 states. See Exhibit D for additional support.

c. Managerial Capacity

The Siting Board in its December 2021 approval inherently determined that Henderson County Solar established it possesses the managerial capacity to undertake the Project. Community Energy obtained site plan approval from the Henderson City-County Planning Commission

("Commission") on April 6, 2021, prior to issuance of the Siting Board's construction certificate. More recently, under Stellar Renewable Power, the Project has obtained approval of its updated site plan and decommissioning plan from the Commission, as shown in Commission's letter dated July 2, 2025. The relevant Commission meeting minutes and letter are enclosed herein as Exhibit E. As these facts demonstrate, the change in the Project's parent company to Stellar Renewable Power does not alter the Project's status as possessing sufficient managerial capacity to undertake the Project. As discussed above, Stellar Renewable Power boasts a management team with over 100 years of experience in the renewable energy industry. See Exhibit D for additional support.

VI. Request for Relief

Henderson County Solar will be led by a team with a good environmental compliance history that possesses the requisite financial, technical, and managerial capacities to meet the obligations imposed by the Board's Final Order. Because the Applicant satisfies KRS 278.710(3) and Mitigation Measure 26, Henderson County Solar requests the Siting Board approve this application to transfer the rights and obligations granted under the construction certificate.

Dated this 23rd day of September 2025.

Respectfully submitted,

Gregory T. Dutton
Pierce T. Stevenson
FROST BROWN TODD LLP
400 W. Market Street, 32nd Floor
Louisville, KY 40202
(502) 589-5400
(502) 581-1087 (fax)
gdutton@fbtlaw.com
pstevenson@fbtlaw.com
Counsel for Henderson County Solar LLC

Exhibit A

Commonwealth of Kentucky
Alison Lundergan Grimes, Secretary of St

L902
0981180.06
Alison Lundergan Grimes
Secretary of State
Received and Filed
3/30/2017 11:44:57 AM
Fee receipt: $90.00

Alison Lundergan Grimes
Secretary of State
P. O. Box 718
Frankfort, KY 40602-0718
(502) 564-3490
http://www.sos.ky.gov

Certificate of Authority
Foreign Business Entity

FBE

Pursuant to the provisions of KRS Chapter 14A and KRS Chapter 275 the undersigned hereby applies for authority to transact business in Kentucky on behalf of the entity named below and, for that purpose, submits the following statements:

1. The entity is a **profit** limited liability company.
2. The name of the entity is **Henderson County Solar LLC**.
3. The name of the entity to be used in Kentucky is **Henderson County Solar LLC**.
4. The state or country under whose law the entity is organized is **Delaware**.
5. The date of organization is **3/28/2017**.
6. The mailing address of the entity's principal office is **3 Radnor Corporate Ctr Ste 300, Radnor, PA 19087**.
7. The street address of the entity's registered office in Kentucky is **306 W Main St Ste 512, Frankfort, KY 40601** and the name of the registered agent in that office is **CT Corporation System**.
8. The names and business addresses of the entity's representatives:

   Eric Blank 3 Radnor Corporate Ctr Ste 300, Radnor, PA 19087

9. I certify that, as of the date of filing of this application, the above-named entity validly exists under the laws of the jurisdiction of its formation.
10. This application will be effective on filing.

Signature of Authorized Representative:
Megan Argo

I, **CT Corporation System**, consent to serve as the Registered Agent on behalf of the business entity.

Signature of Registered Agent or individual signing on behalf of the company serving as Registered Agent:

Leslie Martin

LARP
0981180
Michael G. Adams
KY Secretary of State
Received and Filed
8/8/2025 11:16:03 AM
Fee receipt: $15.00

Commonwealth of Kentucky
Michael G. Adams, Secretary of St

Michael G. Adams
Secretary of State
P. O. Box 1150
Frankfort, KY 40602-1150
(502) 564-3490
http://www.sos.ky.gov

Annual Report
Online Filing
For the Year 2025

ARP

Company: Henderson County Solar LLC
Company ID: 0981180
State of origin: Delaware
Formation date: 3/30/2017 12:00:00 AM
Date filed: 8/8/2025 11:15:00 AM
Fee: $15.00

Principal Office

14643 Dallas Pkwy
Dallas, TX 75254

Registered Agent Name/Address

Corporate Creations Network Inc.
101 North Seventh Street
Louisville, KY 40202

Members/Managers

Manager	Vijay Venkatachalam	14643 Dallas Pkwy, Dallas, TX, 75254

County:	HENDERSON
Business size:	Small
Business type:	Electric, Gas and Sanitary Services

Signatures

Signature Parker Cliatt
Title Manger, Development

<u>Exhibit B</u>

Frost Brown Todd
ATTORNEYS

Gregory T. Dutton
Partner
502.779.8557 (t)
502.581.1087 (f)
gdutton@fbtlaw.com

September 24, 2025

Henderson County Fiscal Court
County Judge Executive Brad Schneider
Magistrate Keith Berry
Magistrate Taylor Tompkins
Magistrate Tim Southard
Magistrate Butch Puttman
Magistrate Bill "Stephens" Starks
20 North Main Street
Henderson, Kentucky 42420

Re: Notice of Transfer of Henderson County Solar LLC to Stellar Renewable Power LLC

Dear Judge Schneider and Fiscal Court Magistrates,

On behalf of Stellar US Asset CO LLC ("Stellar Renewable Power"), please take notice of the enclosed request to approve the transfer of Henderson County Solar LLC from AES Clean Energy Development, LLC, to Stellar Renewable Power in compliance with mitigation measure #26 of the order issued by the Kentucky State Board on Electric Generation and Transmission Siting on December 22, 2021.

Please do not hesitate to contact me if you have any questions.

Sincerely

Gregory T. Dutton

Gregory T. Dutton

<u>Exhibit C</u>

Kentucky Department for Environmental Protection
Division of Waste Management
Solid Waste Branch
300 Sower Boulevard, Second Floor
Frankfort, KY 40601
(502) 564-6716

FOR OFFICIAL USE ONLY, DO NOT WRITE IN THIS SPACE

Merchant Electric Generating Facility (MEGF) Notice of Ownership Transfer

1. Agency Interest Number:	
2. Board Case No.:	2020-00391
3. Submittal Date of Notice:	Date: 9 / 24 / 25
4. Date of Transfer of Ownership	Date: / / Henderson County Solar LLC will still be the certificate holder

5. Current MEGF Construction Certificate Holder Information

Company Name: Henderson County Solar LLC	Mailing Address: 3 Radnor Corporate Center, Suite 300	
City: Radnor	State: PA	Zip Code: 19087
Contact Person: Chris Killenberg	Title: Regional Development Director	
Email Address: chris.killenberg@communityenergyinc.com	Phone Number: (919) 360 - 9792	Cell Number: ( ) -

6. MEGF Information

Facility Name: Henderson County Solar Project	Physical Address: 6298 Highway 425	
City: Henderson	State: KY	Zip Code: 42420

7. New MEGF Construction Certificate Holder Information

Company Name: Henderson County Solar LLC	Mailing Address: 14643 Dallas Parkway	
City: Dallas	State: TX	Zip Code: 75254
Contact Person: Kael Wornat	Title: Development Associate	
Email Address: kael@stellarpower.us	Phone Number: (404) 615 - 2407	Cell Number: ( ) -

8. Legal Organizational Structure of New MEGF Construction Certificate Holder

☐ Proprietorship	☐ Joint Venture	☐ General Partnership
☐ Corporation	☐ Limited Liability Corporation	☐ Limited Partnership
☐ Government agency	☒ LLC	☐ Other. Describe:
Registered with Kentucky Secretary of State?	☒ Yes	☐ No
Registered process agent: Maple Fiduciary Services (Delaware) Inc.	Address: 4001 Kennett Pike, Suite 302	
City: Wilmington	State: DE	Zip Code: 19807
Email Address: ———	Phone Number: (—) —	Fax Number: (—) —

9. Attachments

Attachment 1. Provide a copy of the complete construction certificate associated with Board Case Number listed above being transferred.

Attachment 2. Provide an affidavit signed by the current MEGF stating ownership or control of the facility is being transferred to another entity. The affidavit shall contain the name, address and telephone number of the entity that is to become the new owner of the facility.

Attachment 3. Provide the financial assurance mechanisms executed by the applicant to satisfy the requirements of 401 KAR 103:030. N/A

Attachment 4. Provide an affidavit signed by the new MEGF that:
a. Acknowledges the contents of the construction certificate associated with Board Case Number being transferred.
b. Agrees to comply with all laws and regulations applicable to the ownership, operation, and management of the MEGF.
c. Agrees to comply with all provisions of the construction certificate associated with Board Case Number being transferred.

10. Property Owner / Lessor Information (Duplicate if necessary)

1. Owner / Lessor Name: David V. Dossett, John Michael Dossett, and Chistopher Dale Dossett	Mailing Address: 2521 Wilson Station Road	
City: Henderson	State: KY	Zip Code: 42420
Email Address:	Phone Number: ( ) -	Cell Number: ( ) -
2. Owner / Lessor Name: Charles R. McCollom III, Margaret M. Sutton, Patricia M. Kimberlin, and S. Ann McCollom	Mailing Address: 2829 Tippecanoe Trail	
City: Henderson	State: KY	Zip Code: 42420
Email Address:	Phone Number: ( ) -	Cell Number: ( ) -
3. Owner / Lessor Name: Jeffrey A. Francis and Beth P. Francis	Mailing Address: 9592 Corydon-Geneva Road	
City: Henderson	State: KY	Zip Code: 42420
Email Address:	Phone Number: ( ) -	Cell Number: ( ) -
4. Owner / Lessor Name: Gary H. Thomas	Mailing Address: 5883 Posey Chapel Road	
City: Henderson	State: KY	Zip Code: 42420
Email Address:	Phone Number: ( ) -	Cell Number: ( ) -

11. Certify the following have been notified of the transfer of ownership per KRS 278.710 (3) (d) N/A

Property Owners / Lessors: ☐ Yes | County Judge Executive: ☐ Yes (if applicable) | Mayor: ☐ Yes (if applicable)

12. Financial Assurance

Note – All financial instruments and performance agreements must be executed pursuant to KRS 278.706 and 278.710. If the MEGF executes multiple financial instruments for the facility, each instrument must have a separate corresponding performance agreement. Replacement financial assurance and performance agreements have been submitted so there is no lapse in coverage in order to avoid enforcement penalties per KRS 224.99-010.

Date of Issuance:	Surety Bond Number:	Escrow Agreement Number:
This financial assurance is:	☐ New	☐ Assumed from prior owner

13. Assumption of Decommissioning Plan

The MEGF consents to assume the most recent Decommissioning Plan as previously accepted by Board and/or the Division: ☒ Yes

14. Certification

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that KRS 224.99-010 provides for penalties."

Name of MEGF:	
Name of MEGF Signatory:	Signature:
Title:	Date: / /
Subscribed and sworn to before me by:	

Attachment 4. Provide an affidavit signed by the new MEGF that:

a. Acknowledges the contents of the construction certificate associated with Board Case Number being transferred.

b. Agrees to comply with all laws and regulations applicable to the ownership, operation, and management of the MEGF.

c. Agrees to comply with all provisions of the construction certificate associated with Board Case Number being transferred.

10. Property Owner / Lessor Information (Duplicate if necessary) (CONTINUATION)

1. Owner / Lessor Name: Debra Jean Crooks		Mailing Address: 8120 Pritchett Crooks Road	
City: Corydon	State: KY		Zip Code: 42406
Email Address:	Phone Number: ( ) -		Cell Number: ( ) -
2. Owner / Lessor Name:		Mailing Address:	
City:	State:		Zip Code:
Email Address:	Phone Number: ( ) -		Cell Number: ( ) -
3. Owner / Lessor Name:		Mailing Address:	
City:	State:		Zip Code:
Email Address:	Phone Number: ( ) -		Cell Number: ( ) -
4. Owner / Lessor Name:		Mailing Address:	
City:	State:		Zip Code:
Email Address:	Phone Number: ( ) -		Cell Number: ( ) -

11. Certify the following have been notified of the transfer of ownership per KRS 278.710 (3) (d) N/A

Property Owners / Lessors: ☐ Yes | County Judge Executive: ☐ Yes (if applicable) | Mayor: ☐ Yes (if applicable)

12. Financial Assurance

Note – All financial instruments and performance agreements must be executed pursuant to KRS 278.706 and 278.710. If the MEGF executes multiple financial instruments for the facility, each instrument must have a separate corresponding performance agreement. Replacement financial assurance and performance agreements have been submitted so there is no lapse in coverage in order to avoid enforcement penalties per KRS 224.99-010.

Date of Issuance:	Surety Bond Number:	Escrow Agreement Number:
This financial assurance is:	☐ New	☐ Assumed from prior owner

13. Assumption of Decommissioning Plan

The MEGF consents to assume the most recent Decommissioning Plan as previously accepted by Board and/or the Division: ☒ Yes

14. Certification

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that KRS 224.99-010 provides for penalties."

Name of MEGF: Henderson County Solar Project	
Name of MEGF Signatory: Vijay Venkatachalam	Signature:
Title: Authorized Person	Date: 09/22/2025
Subscribed and sworn to before me by: Vijay Venkatachalam	

Notary public signature:	
My commission expires:	10 /06 /2027

IMPORTANT NOTE: *All information submitted on this form will be subject to public disclosure to the extent provided by Kentucky law. Persons filing this form may make claims of confidentiality in accordance with 400 KAR 1:060.*

NOTARY PUBLIC STATE OF TEXAS
SABASTIAN STEPHON APPLEWHITE
Notary Public, State of Texas
Comm. Expires 10-06-2027
Notary ID 130396310

COMMONWEALTH OF KENTUCKY
BEFORE THE KENTUCKY STATE BOARD ON
ELECTRIC GENERATION AND TRANSMISSION SITING

In the Matter of:

ELECTRONIC APPLICATION OF HENDERSON COUNTY SOLAR LLC FOR A CERTIFICATE OF CONSTRUCTION FOR AN APPROXIMATELY 50 MEGAWATT MERCHANT ELECTRIC GENERATING FACILITY IN HENDERSON COUNTY, KENTUCKY PURSUANT TO KRS 278.700 AND 807 KAR 5:110	)	Case No. 2020-00391

AFFIDAVIT

Comes now the Affiant, Vijay Venkatachalam, and hereby states as follows:

1. I am over the age of 18 and a resident of Texas.

2. I am the Chief Executive Officer of Stellar Renewable Power LLC, the parent company of Stellar US Asset Co LLC and Henderson County Solar LLC.

3. I have conducted an inquiry into the facts contained in the pleading associated with the transfer of Henderson County Solar LLC to Stellar US Asset Co LLC and concur with the statements contained therein.

4. I hereby certify that Stellar Renewable Power LLC has a good environmental compliance history.

5. I hereby certify that Stellar Renewable Power LLC possesses the financial, technical, and managerial capacity to meet the obligations imposed by the terms of the construction certificate issued on December 22, 2021 in the above-captioned matter.

Signed on this 13th day of August 2025.

[*Signature Page Follows*]

AFFIANT:

Stellar Renewable Power LLC, a
Delaware Limited Liability Company

By:______________________________

Name: Vijay Venkatachalam
Title: Chief Executive Officer

STATE OF Texas)
) ss.
COUNTY OF Dallas)

On August 13, 2025, before me, Sabastian Stephon Applewhite, a Notary Public in and for said state, personally appeared Vijay Venkatachalam, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he or she executed the same in his or her authorized capacity on behalf of Stellar Renewable Power LLC, a Delaware Limited Liability Company, and that by his or her signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

SABASTIAN STEPHON APPLEWHITE
Notary Public, State of Texas
Comm. Expires 10-06-2027
Notary ID 130396310

Notary Public
My Commission Expires: 10/06/2027
Notary ID: 130396310

<u>Exhibit D</u>

Overview of Stellar Renewable Power

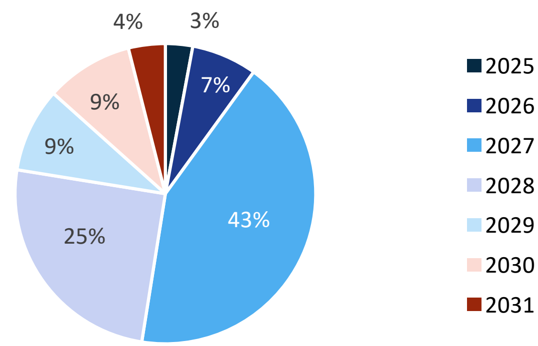
A Leading Solar Developer…

- Stellar is a solar and storage development and operating company based in **Dallas, Texas**
- **Backed by KKR**, a world-class investment firm, Stellar focuses on providing holistic energy solutions through the development, execution and ongoing operations of renewable energy projects
- **Stellar serves a variety of customers**, including utilities and large corporate energy users
- The company aims to build a world-leading renewable development platform by sourcing opportunities through **greenfield development and acquisitions**
- Stellar has formed **partnerships with PV and BESS OEMs, EPC firms, O&M**, etc. to enhance their capabilities and services

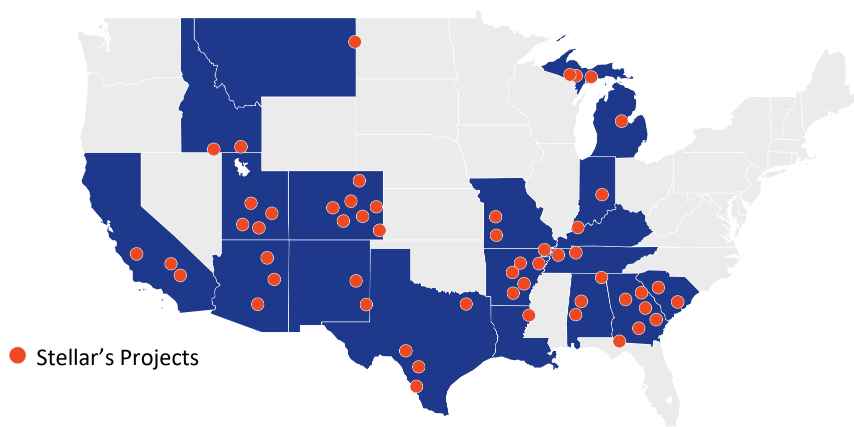
…With a Well-Advanced Development Portfolio

NTP Year

61
Projects



…A Large Diversified Pipeline of Future Opportunities



…and a Strong Track Record of Project Execution

15.8 GW_{DC} Development Pipeline	**>$150mm** Investments To-Date on Pipeline	**10.5 GW_{AC}** Signed IAs or in Interconnection Queues
>100 years Management Team Experience	**61** Number of Projects	**8** Power Markets

Ownership Structure

- Stellar Renewable Power and **The Global Atlantic Financial Group (GAFG)** are part of KKR's Asset-Based Finance (ABF) strategy
- KKR has deployed more than **$5 billion in 49 ABF investments** globally since 2016

- KKR's insurance subsidiaries offer **retirement, life and reinsurance products** under the management of GAFG
- GAFG is a long-term investor in **high-yielding renewable energy assets** to support its retirement and insurance product offerings

- Stellar is the **primary KKR renewable development platform** that will originate, develop, and operate utility-scale solar plants and storage facilities
- Stellar will source opportunities through **greenfield development and acquisitions** of early-stage assets from other developers/owners
- Each solar and battery energy storage system project will have its own **special purpose limited liability company** for tax purposes

Financial Capabilities

- We are proud to state that **Stellar is supported by a parent that has excellent investment grade credit**. We are confident that our strong creditworthiness will demonstrate our ability to successfully deliver on our projects.

- **Stellar possesses all the financing arrangements required to construct and operate our projects**, related to Stellar's relationship with KKR and its subsidiary, Global Atlantic Financial Group ("GFAG"). GAFG (combined with its own subsidiaries) has the below credit ratings across A.M. Best, Fitch, Standard & Poor's, and Moody's.

1. **Is your company private or public?**

   Stellar Renewable Power and GAFG are **private companies**. Both companies are subsidiaries of a public, listed company, KKR.

2. **Has your company or any of your projects ever filed for bankruptcy?**

   No.

GAFG has the below credit ratings:

	A.M. Best	Fitch	S&P	Moody's
Credit Rating	**A**	**A**	**A-**	**A2**
Meaning	Excellent	Strong	Strong	upper-medium grade and subject to low credit risk
Ranking	Third highest of 13	Sixth of 19	Seventh of 21	Sixth of 21
Outlook	Stable	Stable	Positive	Stable

https://www.globalatlantic.com/investor-relations

Experienced Leadership Team

*Company logos indicate work experience prior to Stellar

Vijay Venkatachalam
CEO

- Founder, CEO, and Board Member of **Stellar Renewable Power**
- **25 years experience in** operating, development, investing in RE and financial services
- Based in **Dallas, TX**

Ryan Johnson, PE
Head of Origination

- **19 years** experience in origination, energy consulting, RE power supply, RFP response evaluation, RE roadmaps
- Negotiated **25+ PPAs** for utilities and corporates
- Based in **Atlanta, GA**

Stephen Land
Head of Operations

- **27 years** experience as a military officer and utility scale renewable development
- Developed **5+ GWs** renewables in Southeast and WECC
- Based in **Denver, CO**

Ben Bondurant
Head of Development

- **12 years** experience in development, energy consulting, engineering, and operations
- Led engineering, maintenance and operations teams to safely operate **small modular nuclear reactors**
- Based in **Atlanta, GA**

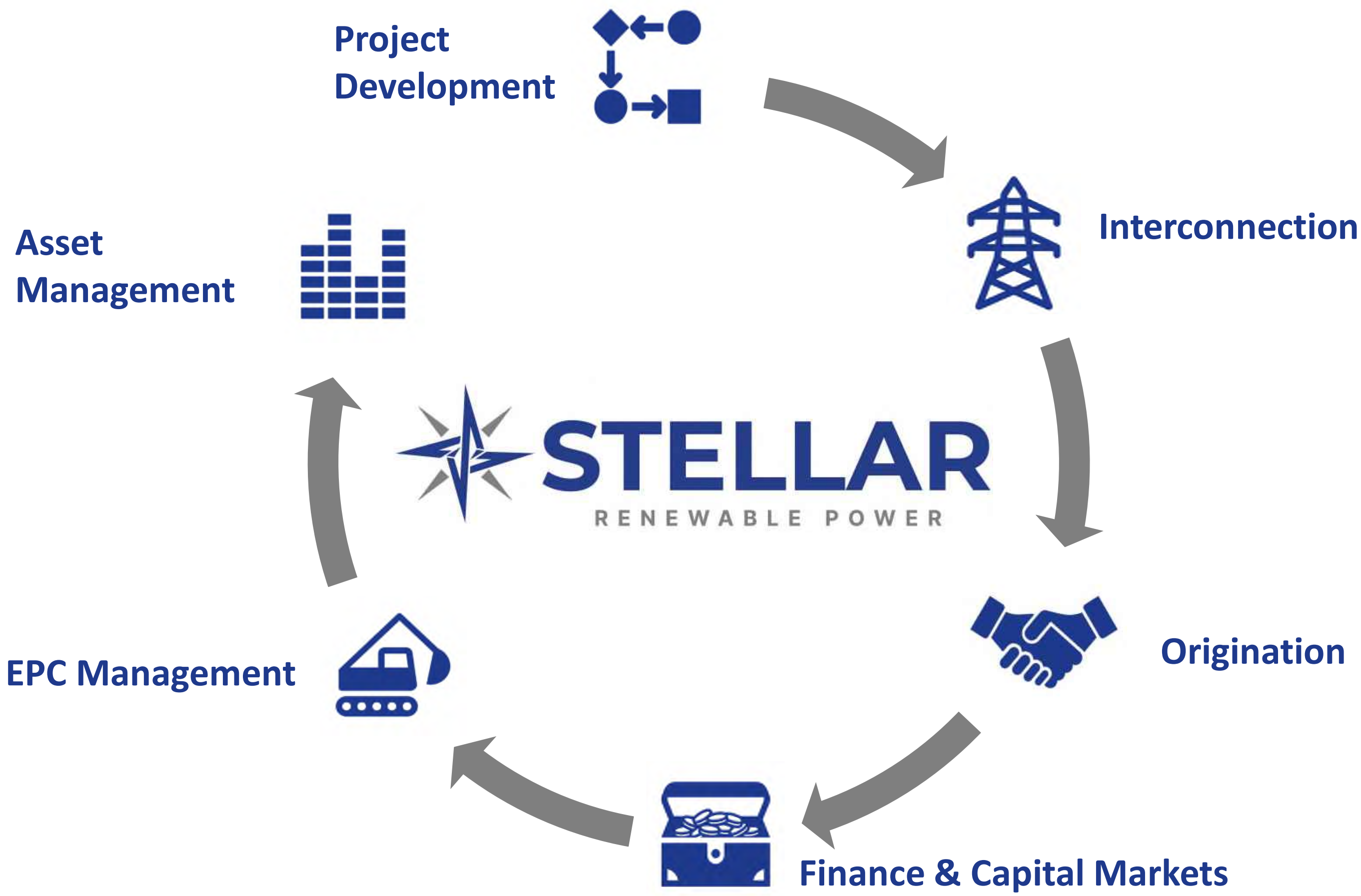
Arun Sugumaran
Head of Asset Management

- **17 years** experience in RE, semi-conductor, and IT services industries
- RE asset performance optimization (**5+ GW**), IT/OT connectivity, Commercial Operations, Compliance & Reporting
- Based in **Dallas, TX**

Ankit Mehra
Head of Finance

- **13 years** experience in M&A, capital raising, investor relations, corporate development, & deal structuring
- Raised **~$2B for 10+ GWs** of solar energy projects
- Based in **Dallas, TX**

Solar Full Life Cycle Capabilities



Construction and Maintenance Strategy

- **Led by Industry Expertise:** Our Construction Team, led by **David Weise**, brings real experience managing large-scale solar and storage construction across the U.S., with a strong track record of on-time, on-budget delivery.
- **Construction Approach**: Stellar selects experienced, top-tier EPC firms to lead construction. We carefully choose partners with a proven track record of quality, reliability, and on-time performance.
- **Project Oversight:** Our team maintains regular communication with the EPC, monitors construction progress, and works toward the completion of the established project plan. We track timelines, address issues as needed and help keep the project on budget and moving forward efficiently.
- **Operations and Maintenance:** After construction, Stellar remains responsible for the long-term operation of the project. Our Asset Management team headed by **Arun Sugumaran** combines leading asset optimization practices and technology to maximize production, maintain dispatchability, and guarantee the highest degree of operational safety.
- **Asset Performance Management (APM) Software:** Stellar has developed an APM software to monitor, analyze, and manage asset portfolio performance while being fully compliant with the NERC and NIST cybersecurity framework. 13 operating solar and storage projects are being monitored.

Exhibit E

Henderson City-County
Planning Commission
April 6, 2021

The Henderson City-County Planning Commission held a meeting April 6, 2021 at 6:00 p.m., at the Peabody Building, 1990 Barret Ct, Suite F, ***via teleconference***. Members present via teleconference: Chairman David Dixon, Vice-Chairman David Williams, Bobbie Jarrett, Dickie Johnson, Gray Hodge, Kevin Richard, Gary Gibson, Mac Arnold, and Tommy Joe Fridy. Kevin Herron, Stacy Denton, and Doug Bell were absent. Staff present: Director Brian Bishop, Jennifer Marks, Theresa Curtis, and Heather Lauderdale. Chris Raymer was absent.

MEETING BEGAN AT 6:03 PM

Chairman Dixon: I would like to call this Tuesday, April 6, 2021 regular meeting of the Henderson City-County Planning Commission to order, and read this familiar statement;

"Due to the emergency resulting from the Coronavirus (COVID19), and to help protect the community from the spread of COVID19 by limiting in person contact, this regular April 6, 2021 meeting of the Henderson City-County Planning Commission is being held by video teleconference.

This video teleconference meeting is being telecast live on Facebook at www.facebook.com/HendersonPlanning/live/ page and elsewhere for the media and the public to view. During the public hearing segments of the meeting, the public may offer evidence, comments, positions, suggestions and questions in accordance with the meeting rules.

Madame Secretary could you please call the roll?

Chairman Dixon: Very good, do we have a quorum?

Heather Lauderdale: We do have a quorum.

Chairman Dixon: I want to thank everyone for joining us by whatever means, a good size crowd of interested citizens and we have some public hearing items.

I'll entertain a motion to go into public hearing.

MOTION WAS MADE BY MAC ARNOLD, SECONDED BY GARY GIBSON TO GO INTO PUBLIC HEARING.

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

AYE: ALL

Chairman Dixon: Any opposed?

We're in public hearing.

The first item of business is the approval of the **minutes from the March 2, 2021 Planning Commission meeting.** I think those minutes have been distributed, do we have a motion to approve?

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY KEVIN RICHARD TO APPROVE THE MINUTES FROM MARCH 2, 2021 AS DISTRIBUTED

Chairman Dixon: Any discussion? Any additions or corrections?

Very good, all those in favor of approving the minutes say aye.

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: The minutes are approved.

The next item on the public hearing is the **Henderson County Solar Site Plan**. I think Mr. Bishop is going to begin.

Mr. Bishop, I need your full name.

Brian Bishop: Brian Bishop.

Chairman Dixon: Address?

David Williams: Mr. Chairman, point of order. Have we gone to public hearing yet?

Chairman Dixon: Yes, we voted to go into public hearing.

David Williams: Ok, thank you, sorry.

Chairman Dixon: I think you voted for it Dave. (Laughter) Well, you didn't vote against it at least.

We are in public hearing and the next item is the Henderson County Solar Site Plan; once again your name sir?

Brian Bishop: Brian Bishop, 1990 Barret Court, Suite C, Henderson, KY 42420.

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

Brian Bishop: I do, sir.

Chairman Dixon: Very good, please proceed, thank you.

Brian Bishop: The first item on the agenda is the Henderson County Solar Site Plan submitted by Community Energy Solar, LLC and Chris Killenberg, Regional Development Director for the properties located in Henderson County on Wilson Station Rd; Hwy 41A; Hwy 425; and Old Corydon Road. The applicants are requesting site plan approval for a solar farm.

Folks, if you would bear with me one minute while I share the screen so we can all see the exact, same document.

This is a large project so I will need to zoom into a specific area if you would like.

Can everyone see the site plan on the screen?

Gary Gibson: Yes.

Brian Bishop: The area is made up of five (5) distinct areas covering approximately 141 acres as shown on the site plan. The project is defined as a Level 3 Solar Energy System by the Henderson County Zoning Ordinance.

Some things to remember is that the applicant will be required to post a 1% surety bond that ensures that the decommissioning can be secured if the project does not last as expected.

The County Zoning Ordinance requires that the solar arrays be a minimum of one hundred (100) feet away from any existing residential structures. This project will not have that issue, they are at least 750 feet away from any existing structures.

The maximum height of any solar array is twenty-five feet, which again will not be an issue for this site but I just wanted to give you guys a reminder because it's been a while since we've dealt with solar farms.

Staff recommends approval, subject to bonding that we previously addressed. That will be presented at the time of the building permit and final site plan approval.

We have received all necessary approvals from the technical staff and we also have Mr. Killenberg on and he has a presentation that he would like to present and I think it would give a lot of detail and perhaps answer a lot of questions.

That is in your packet if you would like to follow along.

So Chris, if you would, bear with me for one moment and I'm going to pull your presentation up and I believe Mr. Dixon will want to swear you in and I will give your control to move the slides as you see fit.

Chairman Dixon: Question first; we are considering all these shaded areas, correct?

Brian Bishop: Correct. I'll kind of give you guys a brief overview. This is area E, which you'll notice is near Lovers Lane which is near 41 A, Collier Road intersection.

Chairman Dixon: Question on that, you said that all homes are 750 feet away from this?

Brian Bishop: From the solar arrays themselves, yes.

Chairman Dixon: Including the Lovers Lane section?

Brian Bishop: Yes, there is a drawing in the presentation that will show that.

Chairman Dixon: Very good.

Chris Killenberg: If I could just jump in real quick, that's not quite correct but I'll correct that when I talk in a minute.

Brian Bishop: I apologize Chris, I misinterpreted the drawing.

Chris Killenberg: That's ok.

Chairman Dixon: Do you mind to switch his presentation and I'll swear him in.

Brian Bishop: Give me one second.

Chairman Dixon: Mr. Killenberg, I need your full name.

Christopher Killenberg: Christopher Killenberg.

Chairman Dixon: Your address?

Christopher Killenberg: 15 Albert Lane, Adamsville, Rhode Island, 02801.

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

Christopher Killenberg: I do.

Chairman Dixon: Very good, thank you sir, I appreciate it.

Christopher Killenberg: Thank you.

Brian Bishop: Chris would you prefer to lead the meeting or do you want me to move the slides when you're ready?

Christopher Killenberg: If you're able to let me move the slides it might be more efficient.

Thank you for letting me present to you tonight, and Brian how many minutes would you like me to keep my comments to.

Brian Bishop: Whatever the Planning Commission wants.

Chairman Dixon: We have no time limit.

Christopher Killenberg: Ok, I'll try to go through the high points and then leave time for questions thereafter.

So as Brian introduced, this is a large-scale solar farm located on either side of the By-Pass roughly between Old Corydon Road and across the By-Pass where the old driving range used to be, and across the old rail road tracks over to that parcel over by Lovers Lane.

Brian had misspoken earlier, that's ok, it's for 541 acres, not 141 acres in total. The purpose of this is Henderson Municipal Power and Light had run a competitive bid for the purpose of buying solar electricity under a long-term contract to serve the City of Henderson, and we, among other people, bid on that and ultimately they chose our proposal for a combination for reasons but partly in that it's cost effective. Solar energy is cost effective these days compared to other sources.

So, the good news, I would say for the citizens of Henderson is this will be a long-term project at a fixed price that will deliver very cost effective energy reliably to the city.

So, this is a slide presentation as part of a State permitting process that we posted on a website specifically for this project and it's available to the public, has been available to the public. It was also always presented at a virtual public meeting that we held in early March, late February.

So, some of these slides are more than you need to see tonight. I'm not able to advance the slides…hmm, I can't seem to advance the slides, Brian.

Brian Bishop: You just tell me when you're ready and I'll do it.

(THE SLIDE PRESENTATION MADE BY CHRIS KILLENBERG ON BEHALF OF COMMUNITY ENERGY SOLAR, LLC IS ATTACHED TO THIS DOCUMENT FOR REFERENCE)

Chairman Dixon: Thank you sir, how can we get access to this complete presentation?

Chris Killenberg: I will be sure to get that information to Brian but essentially it's Community Energy Inc. / Henderson County Solar but I'll be sure to get to Brian.

The website has been up, it's got more information on it and of course you can contact us, me, contact Brian and he'll lead you to me anytime with any questions.

Chairman Dixon: Thank you. Does any member of the Planning Commission have any questions for Mr. Killenberg?

David Williams: Mr. Killenberg, just as out of curiosity is there a lifetime limit to these farms? I think we're saying twenty years but is there any reason for this to actually end in twenty years?

Chris Killenberg: Not necessarily. Again, I said before these are kind of old style solar panels, we know how they're going to behave and what we know is, and this is a thirty year project. In year thirty, they're going to produce about 75% of what they did in year one but they're fully paid for.

So, if the price of power at that point is enough to pay the taxes, the rent, and mowing the grass we and the landowners might agree to keep going. There is no reason not to.

Or, they may say we've had enough. The nice thing about solar is that because it's not brick and mortar we can unbolt everything, pull those posts out of the ground and the landowners have their farmland back and can resume farming or do whatever they want with it.

To answer your question the only reason we have thirty years right now is that is sort of the investment horizon that most investors are looking for and that's what we've agreed to with the land owners.

But if we're all happy in year thirty, we may just keep going.

Chairman Dixon: Very good, any other questions from the Planning Commission?

Dickie Johnson: Chairman, can you hear me?

Chairman Dixon: Yes.

Dickie Johnson: Dickie Johnson. Mr. Killenberg, is that your correct name, Killenberg?

Chris Killenberg: Yes sir.

Dickie Johnson: You said the majority of this work, a lot of the workers don't have to have certain skills. You said everybody is available, let me rephrase that, anybody that's wanting to work there would be available or available…would have an opportunity to go to work and I'm not opposed to that but I want to, I guess, emphasis that a lot of transient type contractors, they bring in undocumented workers. Hopefully your company is not going to allow that to happen.

Chris Killenberg: I'm not the ultimate general contractor of the construction but the kind of companies that do this construction are reputable, national quality firms. So, it's not worth their reputation to do things illegally or improperly and the kind of people we work with, we've worked with before.

So, typically what they do is they'll bring in their own people as foreman and they'll run a Job Fair often times at the local Community College or Henderson Economic Development or somewhere a weekend or two and open it up to locals to come sign up and that's typically how it works. You're right that it doesn't include a lot of skill at the same time experience is valuable and what I'm hoping that will happen in Kentucky is happening in North Carolina is people that gain experience on our project, because it's one of the first, will then move to another project. Maybe another project in the south of the county or vice versa, and then the next time they'll do one in Daviess County, and the next time… so we can kind of develop a local workforce that has some experience in these things even though the work is simple.

That's typically how these hires are made, it's not people coming from far away to do this work, and it's generally local folks that do it.

Dickie Johnson: Thank you.

Chairman Dixon: Any other questions from the Commission?

All good questions.

Any of our other participants this evening have any questions for Mr. Killenberg? Members of the public? I see nothing on Facebook. Would anyone else like to address this issue?

All your questions have been answered?

Very well, we'll entertain a motion in regard to the Henderson County Solar Site Plan as presented. What is the pleasure of the Commission?

MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY DICKIE JOHNSON TO APPROVE THE SITE PLAN AS SUBMITTED BY HENDERSON COMMUNITY SOLAR, LLC. AS SUBMITTED.

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

Madame Secretary, please call the roll.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, the motion passes.

Thank you Mr. Killenberg for your presentation, very educational.

Chris Killenberg: Thank you all.

Chairman Dixon: Next on the agenda is **Rezoning #1117**. Ms. Marks, are you going to lead this discussion?

Jennifer Marks: Yes sir.

Chairman Dixon: I need your full name please.

Jennifer Marks: Jennifer Marks.

Chairman Dixon: Address?

Jennifer Marks: 1990 Barret Court, Suite C, Henderson, KY 42420.

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

Jennifer Marks: I do.

Chairman Dixon: Thank you very much. Please proceed in regard to Rezoning #1117.

Jennifer Marks: Rezoning #1117 was submitted by Yoga Here and Now, LLC for the property located in the City of Henderson at 419 Powell Street (PID #2-5-1-17), containing approximately 0.19 acres. Applicants are requested a zoning change/map amendment from Medium to High City Residential (R-3) to General Business (GB) to consolidate with adjacent parcel (PID # 2-5-1-2) for the placement of a Taco Bell.

As you can see here…can everyone see that consolidation plat?

As you can see here (referring to the projected map on the screen), the front two spots are fronting on Green Street, those are current buildings and they are already zoned GB. The applicant is requesting to rezone the parcel to GB so that we are able to consolidate it with the front two parcels.

As you go down your agenda, we will be discussion the site plan for the location later on but right now we're just discussing the rezoning.

Does anyone have any questions in regards to that information thus far?

Chairman Dixon: What we're proposing here is the proposed consolidated site.

Jennifer Marks: Yes, so it would be the total, darker outlined area would be the site once consolidated.

Are we good with that?

Chairman Dixon: Does anyone have any questions, any commission members have questions for staff in this regard?

David Williams: Mr. Chairman, just for the record I think that we should also put in what the other adjacent properties are zoned to this site.

Chairman Dixon: Good question.

Jennifer Marks: So, as you can see R-3 is the tan/taupe color, General Business is the red, and Brian, you're going to have to tell me that one because I cannot see that far.

Brian Bishop: That one is Audubon Residential District. Commissioner Williams, did that answer your question?

David Williams: The brown colors are R-1 is that correct?

Jennifer Marks: R-3.

Brian Bishop: Then you have General Business and Audubon Residential, here.

David Williams: Alright, thank you Brian.

Mac Arnold: Mr. Chairman?

Chairman Dixon: Yes sir?

Mac Arnold: This is Mac Arnold, the alley that was to the northwest of that property there, was that a private alley or a City alley?

Brian Bishop: Let's let…Mr. Branson, are you on to answer that question?

Or would Mr. Boom be able to answer that?

Chairman Dixon: Is there anyone available that can discuss this indication of an alley?

Doug Boom: It was actually a private alley for the use of 132…

Chairman Dixon: Excuse me sir, I need your name please.

Doug Boom: I'm sorry, Doug Boom.

Chairman Dixon: Your address?

Doug Boom: 222 First Street.

Chairman Dixon: And do you promise to tell the truth, the whole truth and nothing but truth this evening?

Doug Boom: This is true.

Chairman Dixon: Very good thank you. I'm sorry for the interruption, go ahead.

Doug Boom: Originally that alley was a private alley for the use of 132 South Green and I'm assuming it was for the use of the adjacent Yoga lot as well but I don't know if that was true or not.

That consolidation plat was actually done by Branson and they had indicated it was a private alley at the time… well all the deeds indicated it was a private alley.

Chairman Dixon: So, is the alley included in this lot we're talking about?

Jennifer Marks: Yes. It will be consolidated together.

Chairman Dixon: Any other questions of staff from the commission?

David Williams: Are there any existing utilities or other easements on this alley?

Brian Bishop: Commissioner Williams I don't believe the alley has any easements that encumber it.

David Williams: Ok, thank you.

Chairman Dixon: Any other questions from the commission?

Do we have the applicant or their representative available to us tonight?

Kyle Hittner: This is Kyle Hittner, I'm here.

Chairman Dixon: Kyle would you like to discuss this or…

Kyle Hittner: I don't really have anything to add honestly.

Chairman Dixon: Ok good, then I don't need to swear you in unless someone has a question for you.

Does anyone have a question for the applicant?

Ok, we don't have anyone on Facebook. Do we have anyone available on Facebook, ZOOM or otherwise who would like to speak in favor of this rezoning?

Is there anyone who would like to speak in opposition to this rezoning?

Does anybody have any questions for staff, for the applicant, for any of the representatives?

Ms. Marks, you have a proposed motion?

Jennifer Marks: I do.

I'm going to read this proposed motion, findings of facts as my testimony into the record.

Again, ***this is Rezoning #1117- Submitted by Yoga Here & Now LLC, for the property located in the City of Henderson at 419 Powell Street (PID #2-5-1-17), containing approximately 0.19 acres. Applicants are requesting a zoning change/Map Amendment from Medium to High City Residential District (R-3) to General Business (GB) to consolidate with adjacent parcel (PID #2-5-1-2) for a Taco Bell.***

I move that the Planning Commission recommend that the Henderson Board of Commissioners (the "City") APPROVE Rezoning Application # 1117 changing the zoning classification from Medium to High City Residential District (R-3) to General Business (GB) for the subject property, subject to the consolidation being finally approved and recorded and, I leave the motion open for other members of the Planning Commission to add findings of fact in support of this motion, because;

The subject parcel PID 2-5-1-17, located at 419 Powell Street, zoned High City Residential District (R-3) and the adjoining property, PID # 2-5-1-2, zoned General Business (GB) and cannot be consolidated unless the two parcels have the same zoning classification.

The proposed zoning classification is in agreement with the Future Land Use Map of the Comprehensive Plan, which shows the area developing Commercial.

The existing High City Residential District zoning classification is inappropriate and the proposed General Business (GB) zoning classification is appropriate, because:

- ***The subject property is adjacent to other parcels that are currently zoned General Business (GB) and occupied by fast-food restaurants such as McDonald's.***
- ***The Applicants have indicated that they intend to use the consolidated property for a commercial use by constructing a Taco Bell restaurant.***
- ***This recommended General Business (GB) zoning classification of the subject Parcel will not adversely affect the other properties in the area.***
- ***The new consolidated lot will front on Green Street, which is a state road.***
- ***The property is served by adequate infrastructure/utilities.***

Chairman Dixon: Very good. I understand that these are factual statements you would like to enter into the record?

Jennifer Marks: Yes.

Chairman Dixon: We do have a FACEBOOK comment coming from Annette Garrison. She indicates her support for the rezoning but says she does have concern about traffic on Green Street and signage for Taco Bell.

Can anyone speak to those matters?

Jennifer Marks: With regards to traffic, this rezoning and then later site plan, have been reviewed by the Kentucky Transportation Cabinet since Green Street is a state road, and they have no issues with the way the entrance and exits are laid out there for traffic. So, they do not see any issues, as of right now with that.

Brian Bishop: Chairman Dixon, if it's appropriate, if everyone is ok with it I can give a brief presentation on the site plan so that way they're heard simultaneously but we can take two separate votes if that's allowable, if Mr. Fridy is ok with that.

Chairman Dixon: Are you proposing we go ahead and talk about the site plan?

Brian Bishop: If everyone is ok with it and Mr. Fridy has no issue I will show the site plan but I believe we will require a second vote for that when it comes up later on the agenda.

Tommy Joe Fridy: I agree but to do that we need a vote from the Planning Commission to allow them to be heard at the same time, presented together.

MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY BOBBIE JARRETT TO ALLOW A CHANGE TO THE AGENDA TO ALLOW FOR THE REZONING #1117 AND THE SITE PLAN FOR TACO BELL TO BE HEARD AT THE SAME TIME.

Chairman Dixon: We have a motion and a second on this adjustment to the agenda.

All in favor?

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: Mr. Bishop you can proceed.

Brian Bishop: Thank you. To address Ms. Garrison's concern the entrance that is showing on Green Street, and Mr. Boom please jump in here if I misspeak please is shown as a two-way allowed ingress and egress traffic onto Green Street, and then a second entrance onto Powell Street which also allows ingress/egress vehicular traffic have both been approved. The Powell Street entrance would be approved by Mr. Boom and the entrance on Green Street would be approved by KYTC, and we have received both necessary approvals so we believe that the technical advisors have given their approval for that.

So hopefully Ms. Garrison, that will address your concern but we'll keep an eye on Facebook to see if there's anything else you would like to talk about.

Mr. Boom, is there anything that I'm forgetting as far as entrances?

Doug Boom: No, you pretty much have it all covered.

Brian Bishop: Are there any questions from the Planning Commission to myself, Mr. Boom or Ms. Marks regarding the brief site plan?

Chairman Dixon: What about her question about signage?

Doug Boom: It's outside the site triangle.

Brian Bishop: Doug, we're having a hard time hearing you.

Doug Boom: The sign itself is outside the corner site clearance distance of thirty feet on either side of the property line or right of way. Do you see the proposed sign on there?

So, it's outside that corner clearance distance for site triangle.

Brian Bishop: Chairman Dixon, Ms. Garrison has placed another comment on Facebook; "My only concern is entering onto Green Street from Powell Street.

Mr. Boom, do you care to address that?

Doug Boom: I believe the speed limit is posted at 35 MPH, I think it has proper site distance for the corner clearance on that drive as well.

It meets our requirements for a driveway on the downstream side of a non-signalized intersection being Powell.

It meets the access standards manual on that portion as well as the entrance on Powell Street. Since it's a local roadway, it's a downstream drive in from the major arterial being Green Street. So there, we have a smaller distance shown.

Chairman Dixon: Ms. Garrison has pointed out that she is aware of a lot of accidents at this intersection and that there is a blind spot there.

Brian Bishop: Ms. Garrison, which area blind spot are you referring to? Is it on this property or another property in particular? Because this property will be razed and built back.

Doug Boom: I think she's referring to the trees that are on the other side of the intersection; on the south side right before you get to Powell on the right; on Green if you're heading north.

Brian Bishop: She says, "I am diagonal on Powell; 334."

But Doug did you say that you think she's referring to the trees across the street which are not part of this project?

Doug Boom: That's correct.

Brian Bishop: We can't ask the applicant to address that. Is there anything perhaps the City can do about that?

Doug Boom: I think the City has approached KYTC on that and they have neglected… not neglected, I can't speak for the State but we have addressed it with the State and they've indicated it was not their responsibility.

Brian Bishop: Mr. Boom, from Ms. Garrison's concern would you mind reaching out to KYTC and asking about that again?

Doug Boom: Sure. I've got some documentation on it and I'll have to pull it back up; I don't have it with me right now.

Brian Bishop: Ms. Garrison, does that help?

Chairman Dixon: Ms. Garrison has had excellent questions, she now indicates she wants to make it clear she has no objection to this rezoning. I share that for the benefit of the Commission and others.

We just heard a suggested motion, including findings of fact that have been put into the record, any other discussion on this matter?

David Williams: Mr. Chairman, I would like to ask T.J. Fridy if he is alright with the findings of fact in this particular issue.

Tommy Joe Fridy: I am.

David Williams: Thank you, that's all I have Mr. Chairman.

Tommy Joe Fridy: You need two, separate motions.

Chairman Dixon: If we're ready, if no one has any further questions…

Brian Bishop: Ms. Garrison, we will ask Mr. Doug Boom to reach out to you. If you have a pen handy, please call 831-1200 and ask for Doug Boom, City Engineer.

Chairman Dixon: 831-1200.

Brian Bishop: Correct.

Chairman Dixon: Very good. So in regard to the rezoning, any further discussion from any party?

I'll entertain a motion in regard to the Rezoning #1117.

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY MAC ARNOLD TO ENTER INTO THE RECORD THE MOTION THAT JENNIFER READ AND THE FINDINGS OF FACTS ACCORDINGLY.

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

Madame Secretary, please call the roll.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, the rezoning passes.

Now we will consider the **<u>Taco Bell Site Plan</u>** that Mr. Bishop began a discussion on.

Brian Bishop: Chairman Dixon, if it's allowable by the Planning Commission I would like to get back on track with that later in the meeting because there are more items we need to discuss on that site plan unless the Planning Commission would like me to go ahead with the rest of the presentation now.

Chairman Dixon: I thought we voted to do so.

Brian Bishop: We voted to hear, not to…is that adequate for everyone to do that?

Kevin Richard: It's on the table, I say we go ahead and finish.

Brian Bishop: Ok, I just wanted to make sure everyone was ok with it.

Back to the site plan, the applicant is requesting the demolition of three (3) different structures and the construction of a 1,968 square foot Taco Bell restaurant.

There are two (2) entrances that we addressed; one on Green Street and one on Powell Street. Both will allow ingress/egress on to these streets that were mentioned.

There will be bonding for erosion control, there will be bonding for screening which is for the adjacent residential property and there will be bonding for the proposed entrances and I will give you those amounts in one second.

Staff has received all necessary approvals and we recommend approval subject to the necessary bonding. Those amounts are $5,000 for screening, $6,250 for erosion control and $15,500 for entrances and sidewalks.

Mr. Chairman that is all I have for this. Again, staff recommends approval.

Chairman Dixon: Any questions for staff from the commission?

We're considering the Taco Bell Site Plan.

Mac Arnold: Mr. Chairman, this is Mac Arnold. Do we not need to back out of public hearing to do this because this was in a non-public hearing?

Tommy Joe Fridy: You can do it in public hearing.

Mac Arnold: Ok, just double checking.

Chairman Dixon: Yes, good question.

Do we have any questions regarding this site plan?

Any comments? Very good, I'll entertain a motion in regard to the Taco Bell Site Plan as presented.

MOTION WAS MADE BY BOBBIE JARRET, SECONDED BY MAC ARNOLD TO APPROVE THE TACO BELL SITE PLAN SUBMITTED BY AUSTEN M. TRACEY (OWNER), AND BELL AMERICAN GROUP, LLC, (DEVELOPER) FOR THE PROPERTY LOCATED IN THE CITY OF HENDERSON AT 132 SOUTH GREEN STREET. SUBJECT TO BONDING OF $5,000 FOR SCREENING, $6,250 FOR EROSION CONTROL AND $15,500 FOR ENTRANCES AND SIDEWALKS.

Chairman Dixon: Very good, we have a motion and a second, any further discussion?

Madame Secretary please call the roll.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, the site plan is approved. Chairman Dixon: Very good, the rezoning passes.

Now we will consider the **<u>Taco Bell Site Plan</u>** that Mr. Bishop began a discussion on.

Brian Bishop: Chairman Dixon, if it's allowable by the Planning Commission I would like to get back on track with that later in the meeting because there are more items we need to discuss on that site plan unless the Planning Commission would like me to go ahead with the rest of the presentation now.

Chairman Dixon: I thought we voted to do so.

Brian Bishop: We voted to hear, not to…is that adequate for everyone to do that?

Kevin Richard: It's on the table, I say we go ahead and finish.

Brian Bishop: Ok, I just wanted to make sure everyone was ok with it.

Back to the site plan, the applicant is requesting the demolition of three (3) different structures and the construction of a 1,968 square foot Taco Bell restaurant.

There are two (2) entrances that we addressed; one on Green Street and one on Powell Street. Both will allow ingress/egress on to these streets that were mentioned.

There will be bonding for erosion control, there will be bonding for screening which is for the adjacent residential property and there will be bonding for the proposed entrances and I will give you those amounts in one second.

Staff has received all necessary approvals and we recommend approval subject to the necessary bonding. Those amounts are $5,000 for screening, $6,250 for erosion control and $15,500 for entrances and sidewalks.

Mr. Chairman that is all I have for this. Again, staff recommends approval.

Chairman Dixon: Any questions for staff from the commission?

We're considering the Taco Bell Site Plan.

Mac Arnold: Mr. Chairman, this is Mac Arnold. Do we not need to back out of public hearing to do this because this was in a non-public hearing?

Tommy Joe Fridy: You can do it in public hearing.

Mac Arnold: Ok, just double checking.

Chairman Dixon: Yes, good question.

Do we have any questions regarding this site plan?

Any comments? Very good, I'll entertain a motion in regard to the Taco Bell Site Plan as presented.

MOTION WAS MADE BY BOBBIE JARRET, SECONDED BY MAC ARNOLD TO APPROVE THE TACO BELL SITE PLAN SUBMITTED BY AUSTEN M. TRACEY (OWNER), AND BELL AMERICAN GROUP, LLC, (DEVELOPER) FOR THE PROPERTY LOCATED IN THE CITY OF HENDERSON AT 132 SOUTH GREEN STREET. SUBJECT TO BONDING OF $5,000 FOR SCREENING, $6,250 FOR EROSION CONTROL AND $15,500 FOR ENTRANCES AND SIDEWALKS.

Chairman Dixon: Very good, we have a motion and a second, any further discussion?

Madame Secretary please call the roll.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, the site plan is approved.

We have no further hearing items so I'll entertain a motion to leave the public hearing.

MOTION WAS MADE BY KEVIN RICHARD, SECONDED BY GARY GIBSON TO GO OUT OF PUBLIC HEARING.

Chairman Dixon: Very good, we have a motion and a second, any further discussion?

All those in favor say aye.

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: Very good, we are out of public hearing.

The next item is the **March Finance Report**.

Mrs. Curtis, can you help us? Do I need to swear her in, T.J.?

Tommy Joe Fridy: No, you do not.

Chairman Dixon: Ok thank you, go ahead.

Theresa Curtis: Ok, the March Finance Report; we're at 75% of budget and we have three (3) months left to go in what's left of this budget. We just need approval, unless you have any questions.

Chairman Dixon: Does anyone have any questions concerning the Finance Report? I'll entertain a motion in that regard.

MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY MAC ARNOLD TO APPROVE THE MARCH FINANCE REPORT AS PRESENTED.

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

All in favor say aye.

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: Very good, the Finance Report is approved.

The next item is the **<u>Kentucky Fried Chicken Site Plan</u>**, who will lead that discussion?

Jennifer Marks: I will.

Chairman Dixon: Very good Ms. Marks, go ahead.

Jennifer Marks: Kentucky Fried Chicken Site Plan was submitted by JRN, Inc., and Clay M. Neal, EUP for the property located in the City of Henderson at 2236 US Hwy 41 N. Applicants are requesting Site Plan approval.

As you all can see the site plan is now up, what they are doing is more or less extending their parking area and they're queuing. They are not building, it's just adding more to their parking.

They are adding roughly sixty-eight feet (68') to the back of their lot which is going to be directly behind the current lot, I believe that's right in front of Wings Etc.

They are wanting a larger stacking area as well as employee parking in the back. We have received all of the proper approvals on this site plan and they do currently have a lease to own the property.

Do you all have any further questions on this one?

Chairman Dixon: Any questions for staff on this project?

Kevin Richard: So if I'm understanding correctly, there is no change to the existing building or dimension changes to the entrances and exits of the parcel?

Jennifer Marks: Correct.

Chairman Dixon: Any other questions?

Does the commission have any questions we need to direct to the applicants or their representatives?

If there are no questions, I'll entertain a motion in regards to the Kentucky Fried Chicken Site Plan as presented.

MOTION WAS MADE BY DAVID WILLIAMS AND SECONDED BY BOBBIE JARRETT TO APPROVE THE KENTUCKY FRIED CHICKEN SITE PLAN AS PRESENTED.

We have a motion and a second, any discussion?

Madame Secretary, please call the roll.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, the site plan is approved.

The next item is another site plan, this in regard to the **Henderson Water Utilities (New Facility)**, Mr. Bishop?

Brian Bishop: This is submitted by Henderson Water Utility, we have Mr. Bart Boles representing that project here.

This is an existing building with existing parking, as you'll see on the site plan. They are proposing to expand parking in the shaded area shown; two new entrances on Commonwealth Drive, they will connect this to the City's existing property here so that way they will have access to gas pumps. There are three new buildings proposed. Here, which is 25'x100', 50'x160' and then four rock bins for gravel storage that they use on their construction projects, and then this is a mechanic's garage.

Staff has received all necessary approval. Staff recommends approval subject to bonding in the amount of $53,000 which will cover the proposed entrances.

With that, I will do my best to answer any questions you may have.

Chairman Dixon: Does everyone know where this location is, where this site is?

Do you have something a little larger to show?

Brian Bishop: I know Commissioner Williams recognizes this site, he's been by there a few times.

This is Commonwealth Drive, this is Corporate Park here. This is the City's new operation center for maintenance. Sand Lane is this way, you can see it on the map here.

X.R. Royster: It's the old Morris Tool and Die.

Brian Bishop: You have SITEX here where the hand is shown, and then Pittsburg Tank and Tower is here.

I think Mr. Tim Skinner is on the call as well to answer any questions.

Chairman Dixon: Ok, does the Commission have any questions for staff on this site plan?

Does the Commission have any questions for the applicants or their representatives?

Would the representative like to speak to the Commission on this matter?

Bart Boles: I would like to say a few words.

Chairman Dixon: Yes sure. Let me get you sworn in, I need your name.

Bart Boles: My name is Bart Boles.

Chairman Dixon: Address?

Bart Boles: 199 State Route 147, Slaughters, Kentucky, 42456.

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

Bart Boles: I do.

Chairman Dixon: Very good, thank you.

Bart Boles: Originally we looked and proving our current location at 330 N. Alvasia St, as you guys know it's an old location, it's really confined, there's no room for growth, and it's also in the floodplain.

So when this became available on Commonwealth Drive, we decided to jump on it and it's got room for growth and you can see the buildings there; there is a lot of road for us to do what we need to do. It's a perfect fit for us, we've been working with Arnold Consulting on a Civil Site Plan and then Tim Skinner is the architect for the project and they're both here to answer questions too.

That's kind of the jest of it and I'll be happy to answer any questions.

David Williams: Will all of the Water Department's operations be here or are you keeping the place on Merritt Drive?

Bart Boles: We'll still have our two wastewater plants, our two water plants. Our plan is to have everybody downtown on Fifth Street to move to this facility as well. There will be approximately sixty people at this location.

David Williams: It's the offices you're referring to, I don't reckon we can move the water plant can we?

Chairman Dixon: Any other questions for Mr. Boles? Does the Commission have any comments in regards to this project?

If there are no more comments or questions, if everyone has the information they need then I'll entertain a motion in regard to the Henderson Water Utility (New Facility) Site Plan.

MOTION WAS MADE BY KEVIN RICHARD, SECONDED BY MAC ARNOLD TO APPROVE THE HENDERSON WATER UTILITY (NEW FACILITY) SITE PLAN LOCATED IN THE CITY OF HENDERSON AT 1383 COMMONWEALTH DR.

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

Madame Secretary, please call the roll.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, motion passes.

Moving out of the non-public hearing items section; administrative business, Mr. Bishop?

Brian Bishop: Yes sir, just a quick reminder, we have the Division of Water presentation for tomorrow evening. Mr. Carey Johnson will be giving us a preview of new flood maps and how they are created, that will cover a large portion of Henderson County, west Hwy 60 and 425; that general area. I think you guys will be very impressed. The technology for flood mapping has come a long way, it's very interesting and we will use that for continuing education.

The second item is that we will be addressing our budget at next month's meeting. Typically we give the Planning Commission two weeks to review the budget so I want to verify that is enough time for everyone to look at the budget.

Theresa will be sending that out two weeks before our next meeting in May, which I believe is May 4.

So, is that enough time for you guys to see the budget?

Chairman Dixon: Is everybody ok with that time schedule?

Mac Arnold: Fine with me.

Kevin Richard: I'm good.

Gary Gibson: Good.

Chairman Dixon: Very good, thank you.

Brian Bishop: The last item and I know we talked about in person meetings or a type of hybrid of in person meetings, Jennifer and I have talked to Sam Lingerfelt who is the Safety Coordinator for the City of Henderson and I believe we are going to meet with him next week to lay out what that would look like. Are there any objections or concerns with proceeding down that path?

Chairman Dixon: Ok, I'm hearing no objections so I've asked Brian to continue to investigate that possibility. I am, personally in no way committed until we get questions answered and I want to make sure everyone is feels comfortable in whatever setting they choose to conduct these meetings.

Very good, thank you.

We do have one other item, right?

Who will present on that?

Jennifer Marks: I will.

Chairman Dixon: We're dealing with the last item I believe, **Revised Lot 2 Woodrow and Virginia Cooper Subdivision.**

Jennifer Marks: Thank you, I will make this quick guys I promise.

This is in regards to our 3:1 ratio rule, based on the length versus the width of the proposed lot; this is out 41 N and I believe you should have had a picture of it in your packet but we do just ask for approval from the Planning Commission since it is somewhat of a flag lot is how we would describe it.

Chairman Dixon: Can we show this?

Brian Bishop: Yes, sorry.

David Dixon: I think its 41 S, not 41 N right?

Jennifer Marks: Oh it is, I'm so sorry. Hwy 41 South is the location.

Kevin Richard: That's like a golf flag lot.

Brian Bishop: Can everybody see that now?

Chairman Dixon: Could you explain the 3:1 ratio?

Jennifer Marks: When we get requests for subdivisions similar to this one where the length of the lot is significantly more than the width so even at the widest part it's still significantly more. We currently require that it come to Planning Commission for approval because we are ideally strongly discouraging flag lots and I will say this is not an anomaly in this area so it's not something new to right there but that is why we ask for your approval.

Chairman Dixon: That is your recommendation?

Jennifer Marks: Yes, we would recommend to go ahead and approve this since it's not (inaudible).

Chairman Dixon: Any further questions for staff on this matter?

I'll entertain a motion in regards to this revised lot.

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY MAC ARNOLD TO APPROVE REVISED LOT 2 OF THE WOODROW AND VIRGINIA COOPER SUBDIVISION.

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

Madame Secretary, please call the roll one more time.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good.

Any other issues Mr. Bishop?

Brian Bishop: No sir.

Chairman Dixon: Ms. Marks?

Jennifer Marks: No.

Chairman Dixon: Any member of the Planning Commission have something they would like to bring forward for discussion?

Anyone else joining us this evening have anything they would like to bring forward for discussion? Anything for the good of the cause?

I'll entertain a motion to adjourn.

MOTION WAS MADE BY MAC ARNOLD, SECONDED BY DAVID WILLIAMS TO ADJOURN.

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

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: Very good, we stand adjourned.

MEETING WAS ADJOURNED AT 7:27 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, April 6, 2021 to the best of my ability.

____

Heather Lauderdale, HCCPC Clerk

X ____________________

Henderson City-County
Planning Commission
May 4, 2021

The Henderson City-County Planning Commission held a meeting May 4, 2021 at 6:00 p.m., at the Peabody Building, 1990 Barret Ct, Suite F, ***via teleconference***. Members present via teleconference: Chairman David Dixon, Vice-Chairman David Williams, Bobbie Jarrett, Dickie Johnson, Gray Hodge, Gary Gibson, Mac Arnold, Stacy Denton, Doug Bell and Tommy Joe Fridy. Kevin Herron and Kevin Richard were absent. Staff present: Director Brian Bishop, Jennifer Marks and Theresa Curtis. Chris Raymer and Heather Lauderdale were absent.

MEETING BEGAN AT 6:00 PM

Chairman Dixon: I would like to call this Tuesday, May 4, 2021 regular meeting of the Henderson City-County Planning Commission to order, and read this familiar statement;

"Due to the emergency resulting from the Coronavirus (COVID19), and to help protect the community from the spread of COVID19 by limiting in person contact, this regular April 6, 2021 meeting of the Henderson City-County Planning Commission is being held by video teleconference.

This video teleconference meeting is being telecast live on Facebook at www.facebook.com/HendersonPlanning/live/ page and elsewhere for the media and the public to view. During the public hearing segments of the meeting, the public may offer evidence, comments, positions, suggestions and questions in accordance with the meeting rules.

Madame Secretary could you please call the roll?

Theresa Curtis: We have a quorum.

Chairman Dixon: Thank you very much, thanks everyone for participating we have some visitors via ZOOM, we also have some special guests in person.

The next step is to go into Public Hearing, I'll entertain a motion to enter public hearing.

MOTION WAS MADE BY MAC ARNOLD, SECONDED BY GARY GIBSON TO GO INTO PUBLIC HEARING.

Chairman Dixon: Any discussion? All in favor say aye.

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: Very good, we are now in public hearing.

The first item is the approval of the minutes from the April 6, 2021 meeting.

Do I have a motion to approve the minutes as presented?

MOTION WAS MADE BY X.R. ROYSTER, SECONDED BY MAC ARNOLD TO APPROVE THE MINUTES FROM THE APRIL 6, 2021 MEETING AS PRESENTED.

Chairman Dixon: We have a motion and a second, any discussion? Any corrections or changes necessary to the minutes?

All in favor of approval of the minutes from April 6 say aye.

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: Very good, the minutes are approved.

The first item on the public hearing agenda is the proposed **budget for the Henderson City-County Planning Commission**, Mr. Bishop?

Brian Bishop: We have given everyone a copy of the budget, Jennifer and myself have made a presentation to the City-County Co-Op Board which is a mixture of the City Board of Commissioners and the County Fiscal Court. We have made a direct presentation to the Fiscal Court as well. We received affirmation from both bodies but we have to give you guys a presentation as well.

The budget is requested to increase by roughly 1.5% which is an increase from $727,000 to $737,881.

If you have any questions, please stop me. What we'll do is go down section by section so that way we can give you guys a brief, condensed version of every section.

Personal Services was increased by $15,148, roughly 4.4%; we are an expensive group, apparently. That is largely due to the contribution of the retirement fund and we were able to offset this by cutting other sections which we'll briefly talk about as we proceed through.

Supplies are up $626. Maintenance and repairs, a decrease of $1,500. Then from there we will move onto services which covers numerous things such as telephone, travel and things of that nature, you will see a decrease of $2,393. Liability Insurance is a flat fee, so that did not change. You will see a reduction of $1,000 in Capital Outlay. Auto expense is flat as well. Telephone, an increase of $1,500, and then from there Associates Dues and Meetings is an increase of $555.

Next GIS Dues and Meetings you see a decrease of $350. Travel, a decrease of $1,000. GIS travel, a decrease of $250. A flat, stay, hold the line on educational costs, the same for GIS Contractual services. Professional Services stays flat as well. Insurance liability, insurance specifically stays flat at $16,000. Again, Capital Outlay is a decrease of $1,000.

That is a very brief version of the budget, I will do my best to answer any questions that you guys have.

The budget does allow for merit and cost of living increases.

Chairman Dixon: Can you share with us what that total is for that line?

Brian Bishop: That line item, assuming all increases are met, Cost of Living is standard and then Merit Increases would be determined based on individual evaluations by the employees.

So in that number you will see an increase from $523,183 to $538,331. The 1.68 increase in salaries goes from $343,997 to $349,770.

Doug Bell: I've got one question, I'm just trying to be sure; are you comfortable with the decrease in the travel expense given that it appears things are going to start opening back up and you may be able to go to different venues for additional training?

Brian Bishop: I think so Commissioner Bell because we have a running average of the last 3-5 years with what we actually spent pre-COVID, so I think we can make that work.

Doug Bell: Ok, perfect. Thanks.

Chairman Dixon: Do any of the commission have any other questions for staff concerning the proposed budget?

Anyone else on the ZOOM call have any comments or questions in this public hearing?

We have no Facebook participants, am I correct?

Brian Bishop: There are no questions at this time.

Chairman Dixon: Ok, any other comments on the budget? I'll entertain a motion to approve the budget as presented.

MOTION WAS MADE BY DOUG BELL, SECONDED BY MAC ARNOLD TO APPROVE THE 2021-2022 HENDERSON CITY-COUNTY PLANNING COMMISSION BUDGET AS PRESENTED.

Chairman Dixon: Very good, Madame Secretary please call the roll.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, the budget is approved.

The next item on the Public Hearing agenda is **Rezoning #1118**, Mr. Bishop?

Brian Bishop: Yes sir, give me one second so I can share the map so everyone can see.

Doug Bell: Mr. Chairman, real quick before we go into the presentation, I need to abstain from these next two presentations.

Chairman Dixon: Thank you Commissioner Bell, I understand.

Brian Bishop: Can everyone see the screen that shows multiple parcels outlined in blue?

Theresa Curtis: Yes.

Brian Bishop: Rezoning #1118, Submitted by Unbridled Solar, LLC, a wholly owned subsidiary of National Grid Renewables Development, LLC ("NG Renewables"), for properties located in the area of Knoblick Road and Pedler-McDonald Road (and being on the Henderson and Webster County line) for multiple parcels (PID# 72-20.1; #72-18; #72-24.1; #72-15; and #72-16, containing approximately 230 acres. Applicants are requesting a zoning change/Map Amendment from Heavy Industrial District (M-2) to Agricultural District (AG) for a project design Level 3 Solar Energy System.

The applicant is requesting the change so they can create a solar farm generating 168 megawatts of electricity. The rezoning application for 230 acres but is part of a site plan that will cover 1,680 acres; the majority being in Henderson County though a small portion of that is in Webster County.

Staff has given you proposed motions and findings of fact, and I would like to enter that into the record as part of my testimony.

So, Chairman Dixon if it's ok I will read that into the record now.

Chairman Dixon: Please proceed.

Brian Bishop: **Rezoning #1118** is submitted by Unbridled Solar, LLC, a wholly owned subsidiary of National Grid Renewables Development, LLC ("NG Renewables"), for properties located in the area of Knoblick Road and Pedler-McDonald Road (and being on the Henderson and Webster County line) for multiple parcels (PID# 72-20.1; #72-18; #72-24.1; #72-15; and #72-16, containing approximately 230 acres. Applicants are requesting a zoning change/Map Amendment from Heavy Industrial District (M-2) to Agricultural District (AG) for a project design Level 3 Solar Energy System.

I move that the Planning Commission recommend that the Henderson County Fiscal Court (the "County") APPROVE Rezoning Application #1118 changing the zoning classification from Heavy Industrial District (M-2) to Agricultural District (AG) for the subject properties. I leave the motion open for other members of the Planning Commission to add findings of fact in support of this motion because;

The existing (M-2) zoning classification is inappropriate and the proposed (AG) Agricultural District zoning classification is appropriate, because:

- The property was included in a previous rezoning (#780 in 1999), which was for the creation Four Star Industrial Park. This property (230 acres) has not developed in the manner which was anticipated in the 1999 rezoning.
- The parcel is relatively large with uneven terrain.
- The property has historically been used for cropland.
- The property is adjacent to other parcels currently zoned Agricultural and is conductive to the construction of a solar farm.
- The relatively large acreage (230 acres), being reasonably remote and being surrounded by other agricultural tracks, makes the property more conducive to agricultural uses, which would include a Level 3 Solar Energy System (solar farm).

Chairman Dixon, I have no other comments and I will do my best to answer any questions the Commission may have.

Chairman Dixon: Very good, does the Commission have any questions for staff?

We do have representatives here with us from the developer if any member of the commission has any questions for them.

You'll note on your agenda the next item is the Solar Site Plan for this project and I think they will be speaking to that.

No questions for staff? No questions for the developer from the Commission? Does anyone else on the ZOOM call have any questions or comments? Any interest indicated via Facebook? I see none.

Mr. Bishop has shared with us a prepared motion that includes findings of facts we have entered into the record, if there are no more questions or comments, I'll entertain a motion in regard to Rezoning #1118….the one that has been proposed or whatever the Commissioners pleasure is.

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY MAC ARNOLD TO APPROVE REZONING #1118 AS READ INTO THE RECORD BY BRIAN BISHOP.

Chairman Dixon: We have a motion and a second, please call the roll.

AYE: ALL

NAY: NONE

ABSTAIN: DOUG BELL

Chairman Dixon: Very good, the motion passes. Rezoning #1118 is approved and shall be recommended for approval to Fiscal Court.

The next item on the public hearing agenda is the **Unbridled Solar Site Plan**. Mr. Bishop, would you like to introduce that discussion?

Brian Bishop: Yes sir.

Can everyone see the site plan now?

Theresa Curtis: Yes.

Mac Arnold: Yes.

Brian Bishop: Unbridled Solar Site Plan is submitted by Unbridled Solar, LLC, a wholly owned subsidiary of National Grid Renewables Development, LLC ("NG Renewables"), for properties located in the area of HWY 283 and Knoblick Road (and being on the Henderson and Webster County line). The project will consist of one, up to 160 Megawatt (MW) Alternate Current (AC) solar farm on approximately 1,680 acres (1,140 acres in Henderson County and 540 acres in Webster County). The Project plans to interconnect to Big River's Electric Corporation existing transmission system. The Project Area lies in Agricultural (AG) District of Henderson County. Under the Henderson County Zoning Ordinance, Level 3 Solar Energy Systems are a permitted use in the Agricultural District, subject to a site plan review.

Does anyone have any questions before I give a brief overview, and then allow the applicant to give a presentation?

Just to give you guys kind of a heads up or reminder of what we did; as you'll recall, the zoning ordinance requires a seven foot (7') tall fence which surrounds the project where applicable and where feasible and that is shown on the site plan. Equipment shall not be taller than twenty-five feet (25') which is addressed on the site plan. Equipment must be a minimum of one-hundred feet (100') of an existing residence, which appears to be addressed on the site plan as well . Buffing is required where there is not natural screening which appears to be shown on the site plan as well, and I would also defer to Mr. Randy Tasa to make sure that all the requirements of the zoning ordinance have been met. So I would ask Mr. Randy Tasa to address that.

Chairman Dixon: Mr. Tasa are you on board?

Randy Tasa: Yes.

Chairman Dixon: I would like to have your name.

Randy Tasa: Randy Tasa.

Chairman Dixon: Address?

Randy Tasa: 1990 Barret Court, Suite C.

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

Randy Tasa: Yes.

Chairman Dixon: Thank you sir, please proceed.

Randy Tasa: The applicant, looking at their site plan, appears to have met all the zoning regulations that Henderson County has passed.

I see no issue with the site plan submitted.

Chairman Dixon: Thank you sir. My question, the dark grey area is the one we're discussing, correct?

Brian Bishop: Those are the proposed solar panels themselves.

Chairman Dixon: Ok, so what is being fenced?

Brian Bishop: I would probably, I would like the applicant to address that so they can give greater detail.

Chairman Dixon: Very good. Any other questions for staff from the Commission? Or anyone on the ZOOM call, or anyone on Facebook?

Very good, perhaps it would be appropriate for the developers to speak. Who's going first?

Courtney Pelissero: I'll go first.

Chairman Dixon: Your name?

Courtney Pelissero: Courtney Pelissero.

Chairman Dixon: Address?

Courtney Pelissero: 8400 Normanville Lake Blvd, Suite 1200, Bloomington, Minnesota.

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

Courtney Pelissero: Yes I do.

Chairman Dixon: Did you get that information Madame Secretary?

Theresa Curtis: Yes I did.

Chairman Dixon: Thank you. Please proceed, thank you.

Courtney Pelissero: Is possible to both be sworn in at the same time and present together?

Chairman Dixon: I think that's possible as long as you identify yourselves so we can attach your testimony to your name.

Courtney Pelissero: Yes, we can do that.

Chairman Dixon: We have another presenter as well. Your name?

Elle DeBlieck: Elle DeBlieck.

Chairman Dixon: Your address?

Elle DeBlieck: 8400 Normandale Lake Blvd, Suite 1200, Bloomington, Minnesota.

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

Elle DeBlieck: I do, yes.

Chairman Dixon: Thank you very much.

Theresa Curtis: Can she repeat her name one more time?

Elle DeBlieck: My name is Elle DeBlieck.

Theresa Curtis: Thank you.

Chairman Dixon: Do you have the spelling?

Brian Bishop: I have her card.

Chairman Dixon: Very good.

Courtney Pelissero: This is Courtney Pelissero speaking from NationalGrid Renewables on behalf of Unbridled Solar.

We have a short presentation on the project and the proposed site plan.

Elle DeBlieck: This is Elle DeBlieck and I will be speaking only on the first couple of slides here and then I'll pass it over to Courtney.

Just a little bit about our company, NationalGrid Renewables, we're one of the top renewable energy companies in the U.S. We develop and operate projects across the country. We started about fifteen (15) years ago and have grown very significantly.

We've successfully developed over 2,800 megawatts across the U.S. and that includes both wind and solar energy projects that are either in operation or currently under construction.

You may formally have known us as Geranimo Energy and we just re-branded to our new name which is NationalGrid Renewables within the last year.

We are based out of Minneapolis, Minnesota and we've got satellite offices across the country where we operate and have projects and development. We also have a few folks based out of Lexington which is probably the closest area to here where we have other folks located.

Like Courtney mentioned, we're here to speak on behalf of our Unbridled Solar project so just a few key items here. The project, like Brian Bishop mentioned, is 160 megawatts. You can very faintly see the County Line on the map on the right of the screen, so the North portion of that is what is in Henderson County, approximately just over 1,100 acres, and then the remaining project is in Webster County.

We are targeting the operation date for this project to be the end of 2023, and we would start construction at the end of 2022. We are currently in a contract with Big Rivers Electric Corporation who is the off-taker of this project, to be purchasing the full output of what the project produces.

I'll pass it over to Courtney here to get into some more details on the permitting side.

Courtney Pelissero: This is Courtney Pelissero, before we walk through the site plan I wanted to highlight the key components that go into a Level 3 Solar Energy System.

First, there are panels and tracking and we intend to use a tracking system so the panels will track the sun. This project will also be inverters that will be responsible for inverting the direct current to alternate current. Throughout the project there will also be access roads and a project substation.

The project substation will be in the middle of the project and have a transmission line that runs from the project substation to the (inaudible) substation which is the point of interconnect into the electric grid.

Here is the site plan, the simplified version for the purpose of this hearing. The blue are the solar panels that you can see throughout the project. You can see a white outline surrounding them and that is the fence. For example you can see it through here, around here; that's a good place to see it, a fence will be around all of the solar panels as well as the substation.

Chairman Dixon: Excuse me, so there seems to be areas in the central part of this that are not included in this site plan, correct? The green?

Courtney Pelissero: The yellow is the project boundary, the green is the vegetative proper, and the blue are the panels…

Chairman Dixon: So the natural aerial green that we're seeing is outside the project? Like the middle section, the "L" shaped?

Courtney Pelissero: This is not participating in the project. The project is within this yellow project boundary.

Chairman Dixon: Ok, so the fence follows the yellow boundary?

Courtney Pelissero: It follows around the panels. So yes, it will be inside the yellow boundary.

Chairman Dixon: Ok, the fence is there irregularly shaped as the...we're not dealing with a rectangle here, right?

Courtney Pelissero: Correct, yes.

Chairman Dixon: A lot of fence.

Courtney Pelissero: A lot of fence, yes.

On components, here is where the substation is going to be located, this orange area, and we will have an operation and maintenance building next to the substation. So, during operation this will be the main point the operation team is located.

On the next part I'll walk through our proposed screening plan. In the site plan we show pink where there is existing screening, existing vegetation that we tend to keep in place if possible, and the green is where we will be adding screening. Per the ordinance requirements there will be vegetative screening from all adjacent homes.

Next I'll talk about setbacks. We will be meeting the requirements of being at least twenty-five feet (25') from property lines, at least one hundred feet (100') from homes, and then the inverters will be at least two-hundred feet (200') from homes.

Other Level 3 Solar Energy System requirements that are part of our plan is to submit a decommission plan and we'll have a financial surety established with the County at the time of obtaining a building permit.

The last thing I wanted to walk through was our screening plan. We are proposing a vegetative buffer that is made up of deciduous and evergreen trees and shrubs from all adjacent homes and in this diagram you can see where the trees will grow over time. They will be planted at a younger age for a healthy establishment and survival rate. At maturity the trees will be between 15’ and 25’ depending on the species and the shrubs will be about 10’-12’. I did include some pictures of the example species that could be used in the screening plan.

That is the end of the presentation, and I’m happy to answer any questions and I’m sure Elle would like to answer any questions as well. Thank you.

Chairman Dixon: Thank you.

How many adjacent homes are we talking about?

Courtney Pelissero: I don’t know the exact number of adjacent homes off the top of my head.

Chairman Dixon: Mr. Bishop, do you have any idea?

Brian Bishop: I do not. We can do some analysis on GIS if you would like for us too.

Elle DeBlieck: This is Elle, and I can add to that. We are outside the City Limits of Robards so we’re away from most homes. Through the State process that we’re going through right now we have to identify the homes so we can probably supply a map as well that we have already created that would identify the homes as well.

Jennifer Marks: We should have the list, Theresa would have it from where we sent the letters out to.

Chairman Dixon: That was my next question. Adjacent landowners and home owners have all been notified of this project, they’ve been notified that this meeting is taking place tonight.

Theresa Curtis: Yes, they sure have.

Brian Bishop: Chairman Dixon, can I jump in there real fast?

Chairman Dixon: Yes.

Brian Bishop: A site plan is not required to… the property adjoiners are not required to be notified for a site plan but since this is a new type of site plan that we're not used to really seeing, we went ahead and went the extra step and notified all property adjoiners even though we were not required to.

Chairman Dixon: They are notified for a rezoning, right?

Brian Bishop: Correct. They were notified twice in this case.

Chairman Dixon: Very good. What we are consider tonight is a portion of this site plan, and only the portion of this site plan that is in Henderson County.

What happens, just out of curiosity with the part in Webster County? Do you go through this process in Webster County?

Jennifer Marks: They don't actually have Planning and Zoning in Webster County.

Chairman Dixon: Very good. Any other questions from the Commission from the applicants? Any other questions from anyone joining via ZOOM?

Holly Vincent: Brian, this is Holly Vincent do you have us as in attendance in the meeting?

Brian Bishop: Holly, can you hear me? We were trading seats.

Holly Vincent: I just wanted to know if we were listed as in attendance on the meeting, we're actually part of the project.

Brian Bishop: You are, you are on record.

Holly Vincent: Ok, thank you.

Brian Bishop: You're welcome.

Chairman Dixon: Do I need to swear her in?

Brian Bishop: Holly would you like to be sworn in so it's in the minutes that you're here?

Holly Vincent: You can swear both of us in, Holly and Jim Vincent.

Chairman Dixon: Very good, I need your names, Holly and Jim Vincent, your address.

Holly Vincent: 1920 Busby Station Road, Robards, Kentucky.

Jim Vincent: This is Jim Vincent.

Chairman Dixon: Thank you sir, than you ma'am. Do you promise to tell the truth, the whole truth and nothing but the truth?

Holly Vincent: Always.

Jim Vincent: We do.

Chairman Dixon: Thank you very much and thank you for joining us as well.

Any further comments or questions from anyone listening in by any means?

Jim Vincent: What was the scheduled start of the construction project?

Elle DeBlieck: This is Elle DeBlieck, what's the question? What's the estimated time frame for construction?

Brian Bishop: Yes.

Elle DeBlieck: We are scheduling to probably start construction towards the end of the summer in 2022 or the fall of 2022 and that keeps us in schedule to become operational at the end of 2023.

Chairman Dixon: Did you hear that response?

Jim Vincent: Very good, thank you.

Chairman Dixon: Good, thank you.

Any other questions or comments?

David Williams: Mr. Chairman I just have one, on the screening the way you're planning the shrubbery and other screening plants, at what point will they be sufficient maturity to actually screen the solar panels? Are you planning to have those up before they put the panels in or will that be something that will take a while?

Courtney Pelissero: The trees will be planted at the time of construction at three feet (3') and the shrubs at two feet (2'). Year five is when the trees are above the fence height, above seven feet (7'), so at that point they're at the fence height, that's good threshold that in a couple of years they will be at the fence height.

Chairman Dixon: Very good, any other questions?

Is that someone new joining us?

Brian Bishop: I do not see that.

Chairman Dixon: Do we have anybody participating via Facebook?

Very well, I'm hearing no further comments or questions from any source, I'll entertain a motion in regard to the Unbridled Solar Site Plan.

David Williams: Mr. Moderator, point of order, are there any subject to's that we will have to this site plan?

Brian Bishop: Commissioner Williams not at this time. The building permit itself will be subject to the bonding for the decommissioning plan.

David Williams: Ok, thank you, very good.

MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY MAC ARNOLD TO APPROVE THE SITE PLAN FOR UNBRIDLED SOLAR SITE PLAN AS SUBMITTED.

Chairman Dixon: We have a motion and a second, any discussion? An opportunity for further questions or comments.

Madame Secretary, please call the roll.

AYE: ALL

NAY: NONE

ABSTAIN: DOUG BELL

Chairman Dixon: Very good, the Unbridled Site Plan is approved. Thank you all for your presentation, thank you all for your questions and your interest.

We will move on in the Public Hearing to **Rezoning #1119**, Ms. Marks?

Jennifer Marks: Yes, thank you.

Rezoning #1119, submitted by Hugh Stone, D/B/A HCM, LLC for the properties located in the City of Henderson at 1422 Fairground Lane (PID# 56C-21) and 1456 Fairground Lane (PID# 56-4), containing approximately 0.43 acres. The applicant is requesting a zoning change/Map Amendment from Medium Destiny Residential District (R-2) to Urban Single Family Residential District (R-5) for Single-Family Dwellings.

As everyone can see, the exhibit on the screen, the properties that we are rezoning are in connection with the current Canoe Creek Subdivision. Just so you can kind of get your bearings, that is Arrow Way, and this will be an addition to that; those two (2) parcels there. The rezoning that they have requested is so that the zones with match the current zoning with the other parcels located down Arrow Way.

I do have some findings to read into the record as my testimony. If you want me to go ahead and do that now or if you have any questions.

I do believe the applicants son is on if you all have any questions for them.

Chairman Dixon: Does everyone know where we're at here? Where we're talking about?

Do you have something that you can show us with this?

Brian Bishop: Yes, we can definitely do that.

Chairman Dixon: I think we're off of Sand Lane, Fair Street goes out and hits Green…

Brian Bishop: Is everyone familiar with the area? This is Fair Acres apartments, and then this street, Arrow Way, connects to Canoe Creek Subdivision.

As Chairman Dixon was saying, this road itself extends to Sand Lane; Fairground Lane, here.

Chairman Dixon: So Green Street would be off to the…

Brian Bishop: North West. Green Street is this direction here if everyone would follow Fair Street out, you would run into the intersection of Fair Street and S. Green Street.

Chairman Dixon: Ok, thank you.

Ms. Marks, can you go ahead and read the proposed motion?

Jennifer Marks: I can.

Rezoning #1119- Submitted by Hugh Stone, D/B/A HCM, LLC for the properties located in the City of Henderson at 1422 Fairground Lane (PID# 56C-21) and 1456 Fairground Lane (PID# 56-4), containing approximately 0.43 acres. The applicant is requesting a zoning change/Map Amendment from Medium Destiny Residential District (R-2) to Urban Single Family Residential District (R-5) for Single-Family Dwellings.

I move that the Planning Commission recommend that the Henderson Board of Commissioners (the "City") APPROVE Rezoning Application

1119 changing the zoning classification from Medium Density Residential (R-2) to Urban Single Family Residential (R-5) for the subject properties, I leave the motion open for other members of the Planning Commission to add findings of fact in support of this motion, because;

The existing R-2 zoning classification is inappropriate and the proposed R-5 zoning classification is appropriate, because:

The property currently adjoins the developing Canoe Creek Subdivision. This request will allow for the expansion of this established neighborhood.

The adjoining property (Canoe Creek Subdivision) is currently zoned R-5 and the area has developed with single family residences, not R-2.

The development of this property will create a connection between Arrow Way and Fairground Ln. This will allow for better traffic circulation in the area.

The property is served by adequate infrastructure/utilities.

The proposed zoning classification is in agreement with the Future Land Use Map of the Comprehensive Plan, which shows the area developing as medium – high density residential; and, R-5 is medium density residential.

Chairman Dixon: Very good, thank you. These findings of fact are entered into the record. Any questions folks? Do any Commissioners have any questions for staff in this regard?

I'm told that the applicant is with us, or a representative of the applicant.

Jennifer Marks: Yes.

Brian Bishop: Mr. Mark Stone is with us and then Mr. Dennis Branson who did prepare the exhibit as well.

Chairman Dixon: Does the Commission have any questions for the applicant or his representative?

Does anyone else in the meeting have questions for staff or for the applicant or his representative?

I see no questions or comments via Facebook.

Ok, I assume we're ready to proceed. I'll entertain a motion on Rezoning #1119.

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY BOBBIE JARRETT TO APPROVE REZONING #1119 AS READ INTO THE RECORD BY JENNIFER MARKS.

Chairman Dixon: Thank you, we have a motion and second, any discussion? Any further comments?

Madame Secretary, please call the roll.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, Rezoning #1119 is approved.

That concludes the public hearing portion of the meeting, I'll entertain a motion to go out of public hearing.

MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY MAC ARNOLD TO GO OUT OF PUBLIC HEARING.

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

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: Very good, we are out of public hearing.

The next item would be the **April Finance Report**. I think Mrs. Curtis is going to help us with that one.

Theresa Curtis: Yes I will.

We are at 81% of budget, and we only have two months left to go. I can answer any questions that you might have, we just need approval.

MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY DICKIE JOHNSON TO APPROVE THE APRIL FINANCE REPORT AS SUBMITTED.

Chairman Dixon: We have a motion and a second, all those in favor of approving the April Finance Report say aye.

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: Very good, the April Finance Report is approved.

Next item is the Bond Report, Ms. Marks?

Jennifer Marks: Thank you. This month we only have one bond up for review. It is the Home Place bonding for erosion control. The total amount was $54,170. Henderson Water Utility has informed me that we do need to extend that bond for one year.

If you guys have any questions I can entertain those or I just need a motion for approval on that.

Chairman Dixon: Any questions for Jennifer?

MOTION WAS MADE BY MAC ARNOLD, SECONDED BY BOBBIE JARRETT TO APPROVE THE BOND REPORT AS SUBMITTED.

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

All in favor say aye.

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: Very good, the Bond Report is approved as presented.

The next item is **Revised Lots 6 and Lot 8 of the Alexander Farm Preliminary.**

Jennifer Marks: Thank you.

This Preliminary Plat has been submitted by Brad and Donna Alexander for property located in Henderson County at 4378 Brisco Benton Rd (PID #107-54.7). The applicants are requesting Preliminary approval to subdivide the parcel into two lots. You all will notice this is not the typical Major that we see, this is done Preliminary and Final because they are creating Lot 8 which would obviously go over that five lot threshold and creating Lot 8 they will need to place a fire hydrant so that it is within 500 ft. of the new lot. That fire hydrant will either need to be bonded or paid for to be built by the County Water.

If you all have any questions on this one I will answer them.

I do believe Denny is still on and he can answer any questions that you all might have regarding this one.

Chairman Dixon: So, we're creating a Lot 6 and a Lot 8?

Jennifer Marks: It's a revised Lot 6 so Lot 8 is a new lot; it's a Revised Lot 6 so we're taking a portion of the current Lot 6 and creating Lot 8.

Chairman Dixon: Ok. Does the Commission have any questions for the staff or the applicant?

MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY BOBBIE JARRETT TO APPROVE REVISED LOT 6 AND LOT 8 OF THE ALEXANDER FARM SUBDIVISION AS SUBMITTED.

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

Madame Secretary, please call the roll.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, the Revised Lot 6 and Lot 8 of the Alexander Farm Subdivision Preliminary has been approved.

The next item is **Lot 5 The Termo Company Subdivision and Consolidation Preliminary**, Mr. Bishop?

Brian Bishop: Yes sir.

Lot 5 of The Termo Company Subdivision Consolidation Preliminary submitted by Termo Company, (Renae Mehan) for the property located in Henderson County at 5700 Riverport Rd (PID #39-1-16). The applicant is requesting preliminary approval.

Can everyone see the drawing on the screen?

Theresa Curtis: Yes.

Brian Bishop: The applicant is requesting preliminary approval for the land shown. The property shown on the plat, or the exhibit plat is zoned Heavy Industrial. Any land that is zoned Commercial or Industrial has to come to the Planning Commission as a Major Subdivision which is why this is before you.

We have received all necessary approvals from the technical advisors; the water department, County Codes, etc. and just as a note so this does not surprise everyone next month; we will most likely see a further division of this property and if that is the case each, individual lot will come back to the Planning Commission with Site Plans for the proposed uses.

So, we will see this property several times within the next few months.

With that, I will do my best to answer any questions, and staff recommends approval.

Chairman Dixon: So what's being created here is Lot 5?

Brian Bishop: That is correct.

Chairman Dixon: And Lot 5 is both of those portions that are outlined?

Brian Bishop: Correct. You have a portion on Riverport Road here, and then you have a portion of Highway 136 here. They are joined by this small connection here; eventually they will be divided into smaller lots as well.

I believe the applicant and his representative, his surveyor are on if you have any questions of them.

Chairman Dixon: Do any commissioners have any questions for staff? Any questions for the applicant or his representative?

Hearing no questions, I'll entertain a motion regarding Lot 5 The Termo Company Subdivision and Consolidation Preliminary.

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY MAC ARNOLD TO APPROVE LOT 5 THE TERMO COMPANY SUBDIVISION AND CONSOLIDATION PRELIMINARY.

Chairman Dixon: We've got a motion and a second, any discussion?

Madame Secretary, please call the roll.

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, thank you. Lot 5 of The Termo Company Subdivision and Consolidation Preliminary is approved.

Next on the agenda is Administrative Business, do we have anything here, Mr. Bishop?

Brian Bishop: We do, we have a very popular topic as of late; in person meetings.

You may remember the last time we met we were going to do a little homework to see what the options were and as of today we have three (3) options;

1. Continue to meet via ZOOM as we're doing tonight and as we have the last several months.
2. To meet at the MSC, the City's building where they currently have Public Works, they have a very large meeting space. The area is very large and can accommodate 100+ people even with social distancing. The issue we would have there is we would need to find a way to broadcast the meeting. It's not insurmountable but it's an issue to deal with.
3. A hybrid meeting for the 3rd floor of the City Building where we would do a combination of ZOOM and in person meeting. The exact number of people in that room would probably be determined by the space and how we would arrange the chairs.

So, we have a few options as far as future meetings.

With that, I will get out of the way and let you guys discuss what you would like to do.

Chairman Dixon: In case of City Hall, our regular meeting space, how many of the Commission could attend?

Brian Bishop: If I'm not mistaken, I think we figured up roughly seven (7) based on the measurements of where we would be able to still have applicants in the audience.

Chairman Dixon: So, we could fit seven (7) Commissioners, staff and some, few applicants?

Brian Bishop: I believe so, I would have to double check my notes but I believe that is the case.

Chairman Dixon: Some of us would have to continue to participate via ZOOM?

Brian Bishop: Correct.

David Williams: Chairman, that actually works out well for me being I will be out of town the first Tuesday in June.

Dickie Johnson: Mr. Chairman, this is Dickie Johnson, I know it's a convenience and an inconvenience, these ZOOM meetings but unfortunately, I think that until we get some kind of release unless we can use this bigger building that Brian was talking about and limiting our appointed Commissioners from being present at the meeting and allowing the public to be at our public hearings… I think we just need to continue with ZOOM.

I think our only option would be a big building, if we can get something worked out to where we can televise it, it would be great.

Chairman Dixon: Thank you, good points.

I don't know how many people are familiar with that building, it is mammoth. I would say you could get 4 basketball courts in that space.

Dickie Johnson: That would be great, I'm all for an in person meetings, I particularly don't like ZOOM I think it's a convenience and an inconvenience but unless we can have everyone who is wanting to participate in the room I just don't feel comfortable with it.

Chairman Dixon: I think your point is you're not comfortable with the hybrid situation where some are in attendance and some are not and that kind of thing?

Dickie Johnson: Yes.

Gary Gibson: Mr. Chairman I would like to ask a question. How many people on the board have already had both shots?

Dickie Johnson: I have.

Chairman Dixon: I have.

X.R. Royster: I have.

Gray Hodge: I have.

David Williams: So have I.

Stacy Denton: I have.

Bobbie Jarrett: (Raised her hand)

Doug Bell: I have.

Gary Gibson: So in other words, the board is safe enough to hold a meeting if they've already had two shots. Someday we've got to get back to normal.

Mac Arnold: Mr. Chairman, I have a question on the hybrid situation. You said there would be allowed possibly seven (7) members.

Brian Bishop: Mac I believe that's the case but I would need to verify that.

Mac Arnold: How would we determine who wants to show up, is it voluntary? How would that work?

Brian Bishop: Jennifer and I talked about that and feel free to jump in.

I think that was what we had envisioned. The folks that were comfortable meeting in person would be able to come and if there was anyone who was not comfortable, then they would still have the ZOOM option.

Then I also need to verify it's not more than seven (7) Mac, so let me look into that.

Mac Arnold: I want to double check that. I mean, I personally think that's a good way to handle it, it gives someone that is interested in attending the meeting in person they can, and if you don't feel safe or if you have other commitments where ZOOM at least allows you to be mobile to that point where you don't have to be in one spot every time for the meeting.

Chairman Dixon: I think it would be appropriate for me to say that if anybody is really uncomfortable with the ZOOM meeting and is sick of it completely and wants to be together, we could fit a couple of people in this room, could we not?

Brian Bishop: We could get more people here.

Chairman Dixon: A couple of the Commissioners could join us here at the Planning office and we've got some space that we could use in that way if someone really wants to do that, maybe it's more convenient for them or whatever.

I'm hearing a lot of good points and I don't know that we have a solution.

Gary Gibson: My concern is when are we going to allow the public to show back up?

Chairman Dixon: I agree, I think even if we went back to City Hall we wouldn't be able to do that unlimited, would we?

Brian Bishop: It would be limited, yes.

Jennifer Marks: One of the things we did discuss in doing that was the public would be outside of the main room, obviously wear masks and things and based on which item they're there for on the agenda they would come in to speak to that and then they would leave. So that way we don't have a crowd.

Chairman Dixon: Might have a crowd in the lobby though, in the hallway, waiting.

Jennifer Marks: I guess it would depend on the items.

Chairman Dixon: True.

X.R. Royster: I don't see the problem meeting here if we had presenters like we did tonight.

Chairman Dixon: That's true.

Dickie Johnson: Brian, what is and how much trouble would it be to make available to broadcast at the building that you were talking about?

Brian Bishop: I'm not really sure. That is something we would have to address with the I.T. folks at the city. Honestly, I'm not sure what technology they would have available there.

I can find out and report.

Dickie Johnson: If it would work for us then it would work for County Government, and City Government so it may be more beneficial to more government entities as just us because they're doing the ZOOM meetings too.

Chairman Dixon: That's a good point. So, if we use the Public Works building, basically the broadcast needs to be the same broadcast we need at City Hall, right? Just to record the meeting because the public would have access to that building.

Brian Bishop: Correct. We would need to find a way to broadcast via Facebook which I believe is how we're broadcasting, probably most likely forever at this point because it's working out well and in the past we've only broadcasted on the local cable channel. So, one good thing out of this is I think it gives us greater access to the public via Facebook.

The only thing is I don't want to speak for the City when we're going to ask them to purchase the equipment necessary.

Dickie Johnson: I understand that, but I mean it may be beneficial for more than just our organization to utilize.

Chairman Dixon: Right.

You have said something about the purchase of equipment?

Brian Bishop: Uh huh.

And that could be my lack of understanding of how they would do it. For example, with us, we're broadcasting via the camera that was purchase by the Emergency Management folks which if you've been in this room, we're looking directly at it; that's an option.

Another option would be broadcast via like an i-Pad or something like that which is not going to be adequate because we have to see whose speaking, we would have to see whose voting so there are challenges there.

Again, I don't think it's insurmountable but there are challenges.

Chairman Dixon: If we had that bigger space, then we would just have to broadcast the meeting, we don't have to show people's faces and things like that…it's more like we did at City Hall in just a bigger setting.

Brian Bishop: That's a good point.

Chairman Dixon: At City Hall we were recording the meetings correct?

Brian Bishop: Correct.

Chairman Dixon: And they were broadcasted live as well?

Brian Bishop: Correct. The difference in City Hall, I'm trying to think through because it's been so long since we've been there is we had multiple camera angles.

So, for example if someone was at the podium speaking, the camera would go to them or if one of the Commissioners were speaking the camera would go them or to staff; so I'm trying to think what we would need to make it work.

Chairman Dixon: It sounds like it would not be a small amount of equipment we would need I'm afraid.

Dickie Johnson: But we don't know what's available out there?

Brian Bishop: At this point, the last time we spoke with Sam Lingerfelt, there is no equipment for that there.

Dickie Johnson: Ok.

Brian Bishop: And that was just two or three weeks ago but we can follow up.

Bobbie Jarrett: Let's do our regular meeting by ZOOM in June and that will give you a month to work out all the bugs that are needed for wherever we're going to meet in July.

Dickie Johnson: Sounds good to me Bobbie.

Gary Gibson: I'm ok with that.

Chairman Dixon: So, my understanding is that we're going to ask staff to investigate in some detail what it would take to hold a socially distanced Planning Commission meeting at the Public Works building and meet all of our desires to make sure the public can be involved in whatever way they want to be involved.

Is that fair enough folks?

Dickie Johnson: Yes.

Chairman Dixon: Do you have any other administrative business Brian?

Brian Bishop: No sir.

Dickie Johnson: I've got a, and I'm just not saying it for me because I've always tried to make sure that I got my training hours in adequate time but with COVID and not being to sit down and go to a training seminar is there any additional ZOOM training meetings planned in the near future to get your required training hours?

Theresa Curtis: If there is then it should be, I know the Kentucky League of Cities always offers a lot of webinars so you can do it online since nobody's opening up but the last that they sent, I think is when you all went but we can double check that and see if there…

Dickie Johnson: I wasn't able to attend that one so I need to look at something in the future.

Theresa Curtis: I'll have Heather check into that tomorrow if she's back, if not, I'll look into it for you.

Chairman Dixon: If you could Theresa, maybe get a rundown of what every Commissioner needs to accomplish; you know what I mean?

Brian Bishop: Heather will have that handy.

Theresa Curtis: Heather has a chart…

Chairman Dixon: So everybody knows what's expected of them and then give us the options they can pursue.

Mac Arnold: The last one, the one we did from Warren County or Bowling Green that was done by ZOOM, I thought that was also kind of available and recorded for them so all you had to do is pull it up online and watch it yourself whether you were there at the meeting or not.

Brian Bishop: I believe that's accurate, I believe they have put that on their You Tube channel and since that was approved we can record it as well.

Chairman Dixon: So You Tube record it and present it to us?

Brian Bishop: It's already recorded, we could provide the link under You Tube channel and we can provide the link to everyone that way.

Chairman Dixon: And then just take their word for it that they watched the thing?

Brian Bishop: There may be a quiz involved.

Chairman Dixon: That's a really good point. Let everyone know how much training they still are required to get and how they go about getting it.

Brian Bishop: That's another reason we asked for the I-69 meetings, the flood meetings, you know where we did that, as another way for us to try to keep everyone as active and engaged and up to date as possible. So, those hours will be counting as well.

Chairman Dixon: Maybe there will be some other opportunities like that?

Brian Bishop: We're always on the lookout for that.

Chairman Dixon: I think that is really valuable, that's actually training we can put to use.

Brian Bishop: I agree.

David Williams: I really recommend that program that Bowling Green put on, it was an excellent presentation.

Chairman Dixon: Good, good. Let's make sure we can have access to that and make it count. I like that idea.

Brian Bishop: That's four hours, that's a good chunk of time.

Chairman Dixon: Yeah, that will about shoot a day.

Brian Bishop: As long as no one is fast forwarding.

Chairman Dixon: Very good, good stuff. Anything else? Any other administrative business or other business?

MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY DICKIE JOHNSON TO ADJOURN.

Chairman Dixon: We have a motion to adjourn, do we have a second?

All in favor signify by saying aye.

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: We stand adjourned. Thank you all so much for your attention, your effort and your good questions.

Meeting adjourned at 7:10 pm

Henderson City-County Planning Commission
1990 Barret Ct. Suite C
Henderson, KY 42420

Jennifer Marks
Assistant Director

July 2, 2025

Stellar Renewable Power, LLC
14643 Dallas Parkway
Suite 250
Dallas, TX 75254

RE: Site Plan Approval for Henderson County Solar

Please be advised that on Tuesday, July 1, 2025, the Henderson City-County Planning Commission took official action on the above referenced Site Plan located in Henderson County.

Action: Approve the updated Site Plan and Decommissioning Plan contingent upon the submittal of a Decommissioning Bond in the amount of 1% of the total project cost. The decommissioning bond will need to be submitted and approved prior to any permits being issued. Bonds can be submitted in the form of a check or letter of credit.

If a building permit is not issued within a 1-year timeframe from this approval, then the project will need to come back before Planning Commission for review.

Should you have any questions, please do not hesitate to contact me at (270) 831-1289.

Respectfully,

Jennifer Marks
Assistant Director
Henderson City/County Planning Commission

C: Bond File

• Phone (270) 831-1289 • Fax (270) 831-1237
Email:jmarks@hendersonplanning.org
www.hendersonplanning.org