

**September 28, 2009**  
**Regular Meeting**

The Board of Commission of the City of Nicholasville convened in regular session on Monday, September 28, 2009 at 5:00 p.m. Mayor Russ Meyer presided and the following Commissioners were present: Mr. John Collier, Mr. Doug Blackford, Mr. Andy Williams and Ms. Betty Black. Also present William M. Arvin, City Attorney.

Motion by Mr. Collier, seconded by Mr. Williams to approve the minutes as written for the September 16, 2009 special meeting.

Yea

Ms. Black, Mr. Meyer, Mr. Collier, Mr. Blackford, Mr. Williams

Motion by Mr. Collier, seconded by Mr. Williams to authorize the Mayor to sign a Proclamation for the Run for Ralph and Ryan:

*WHEREAS*, the Nicholasville Jessamine County Parks and Recreation, along with the Jessamine County Cooperative Extension Service, Jessamine County Public Schools, Jessamine County Fiscal Court, Nicholasville City Commission, Nicholasville Police Department and Bumblebee Team Sports will be sponsoring and conducting the first annual 6K Run for Ralph and Ryan on Sunday, October 11, 2009 at 2:00 p.m.; and

*WHEREAS*, the Run for Ralph and Ryan will honor the memory and celebrate the lives of two extraordinary individuals; and

*WHEREAS*, proceeds from the annual 6k Run for Ralph and Ryan will provide a college scholarship for a senior student athlete from both East and West High in the names of Ralph Sallee and Ryan Robinson; and

*NOW, THEREFORE*, I, Russell A. Meyer and the Nicholasville City Commission of the City of Nicholasville officially proclaim the Second Sunday of October be set aside for the Run for Ralph and Ryan

Yea

Mr. Meyer, Mr. Collier, Mr. Blackford, Mr. Williams, Ms. Black

Motion by Mr. Meyer, seconded by Mr. Blackford to refund an overpayment of Insurance Premium Tax to National Interstate Insurance Company in the amount of \$2, 112, 24.

Yea

Mr. Collier, Mr. Blackford, Mr. Williams, Ms. Black, Mr. Meyer

Motion by Mr. Meyer, seconded by Mr. Collier to authorize the Mayor to sign a Financial Advisor Engagement Contract between the City of Nicholasville and Hillard Lyons for the issuance of General Obligation Bonds for the purpose of financing the construction of a new building.

Yea

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Mr. Blackford, Mr. Williams, Ms. Black, Mr. Meyer, Mr. Collier

Greg Bohnett, Chairman of the Annexation Committee reported on the request to consider amending the applicable Memorandum and Agreements by the following Parties:

.....Praxeis, LLC, 4250 Lakeside Drive, Suite 214, Jacksonville, Florida 32210 is proposing to develop Limestone Crossing consisting of 105.86 acres located on a portion of the Noland Property - Phase 4 (PVA Parcel #078-00-00-001.00), the Smitson Property (PVA Parcel #078-00-00-004.00), and a portion of the Cox Property (PVA Parcel #078-00-00-005.00). Limestone Crossing is proposed to consist of skilled nursing/assisted living/memory support units (240), single family residential units (123), residential garden homes-1,400 square feet plus garage (71) and residential villas (240).

.....The Joseph Group, LLC, 1093 Duval Street, Suite 102, Lexington, Kentucky 40515 is proposing to develop Ashgrove Woods consisting of 21.10 acres located on a portion of Ashtree Properties II and III, LLC. Ashgrove Woods is proposed to consist of a mixed use facility (180,000 square feet), pavilion (6,200 square feet), residential chalets - 950 to 1,100 square feet (48 units), and residential cottages - 1,500 plus square feet (45 units). Please note that the developer has stated ". . . This plan is in concept only and will probably be modified several times by the time it reaches its final form . . .".

.....Azalea Properties, LLC, 59 Avenue of Champions, Nicholasville, KY 40356 is proposing to develop Grey Oak Village on 40.18 acres located on the west side of Grey Oak lane, north of East Brannon Road (Ash Tree Properties, Unit 1). Grey Oak Village is proposed to be an Adult Living Community consisting of assisted living (180 units-3 buildings), garden homes (40 units-10 buildings), independent living (210 units-7 buildings) and a country club facility.

The amendments to the Memorandums and Agreements are necessary in order for each of the above parties to construct their developments as proposed.

The Annexation Committee (Committee) has met with representatives of Praxeis, LLC, The Joseph Group, LLC and Azalea Properties, LLC. It is the Committee's recommendation that the following guidelines be used by the Board of Commission regarding developments of this type:

1. The medical/nursing home/assisted living or similar facilities of these proposed developments are to be built first.
2. Medical/nursing home/assisted living portions or similar facilities shall pay incentive fees at the rate of \$10,500.00 per acre. All residential units shall be assessed incentive fees at the rate of \$1,500.00 per unit, excluding those structures that are to be held in anything other than fee-simple title by the resident and/or are over two stories tall, in which case the applicable fee shall be \$2,500.00 per unit.
3. The exterior of all structures shall have at least seventy-five percent (75%) coverage

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- with brick or stone.
4. There shall be a minimum of 900 square feet of living space for all attached residential units.
  5. Attached two-car garages should not be required for skilled nursing/assisted living/memory support/independent living or similar facilities.
  6. The Board of Commission should consider refraining from executing any "Memorandum and Agreement" type documents until the applicants have completed any applicable Planning Commission or Board of Adjustment review(s) and/or approvals .
  7. Ensure that any executed agreements be contingent upon compliance with all local and state regulations.

Note: Recommendations from the Annexation Committee do not have to be accepted by the Board of Commission and can be changed.

Motion by Mr. Collier, seconded by Mr. Blackford to appoint Dexter Knight to replace the unexpired term of James Staton, which expires April 1, 2010, and reappoint Tyler Johnson and Mark Miller with the term expiring April 1, 2012.

Yea

Mr. Williams, Ms. Black, Mr. Meyer, Mr. Collier, Mr. Blackford

Motion by Mr. Williams, seconded by Mr. Collier to authorize the Mayor to sign the 2010 Litter Abatement Grant Funding.

Yea

Ms. Black, Mr. Meyer, Mr. Collier, Mr. Blackford, Mr. Williams

Motion by Mr. Collier, seconded by Mr. Williams to approve the accounts payable as listed in the amount of \$382,117.66.

Yea

Mr. Meyer, Mr. Collier, Mr. Blackford, Mr. Williams, Ms. Black

The meeting adjourned at 5:40 p.m.

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Roberta Warren, City Clerk

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Russell A. Meyer, Mayor