

**Unedited Captioning Transcript of Parks and Sustainability Committee Meeting - March 23, 2023**

All right metro TV piece, I hope you are doing. Okay we'll get started in 1 minute.

He's welcome to the parks and sustainability committee today is Thursday, March the 23rd 2023.

The time is currently 309. 0. P. M.

Um, chairman, Cory, Arthur, we also have committee members.

Hello Sean Jeff Hudson.

Betsy Roy Cindy.

We're joined by a committee member Pat Mulvihill virtually and we're also joined by.

Council members Andrew virtually.

Any committee members or council members that are joining on Webex please turn on your camera.

You'll be kicked off Webex. This meeting is being held pursuant to K RS 61.806 and council rule. 5 a we have 3 items on the agenda today. We'll start with our special discussion.

Knock out item 3 and then finish what item 2 since That'll take most of our committee time.

We have a guest from parks, I think, in the cut over here, somewhere, come on up.

Please say your name title department.

And then we'll get into it for members of the committee and the public there is a presentation it should be attached to the agenda. Thank you.

Uh, good afternoon. Cancel. I'm Nathan. Um, it was an afternoon.

For the record we've been joined by committee member, Philip Baker.

Can you hear me now? Good afternoon. My name is Nathan. I am the interim assistant director for the revenue's vision for parks.

Committee member Fowler asked you to come today, so you might have something you want to prompt.

Or if you have some information I want to share with us go ahead. Again, there are documents attached to this special discussion item on the agenda.

Correct yeah today is about the 2.

Uh, contract, pro contracts for Cherokee golf course and sun Valley golf course.

That's what we're discussing today.

Any questions concerning those 2 documents committee member.

Thank you. Mr. chair. So, Nathan, can you give us an overview of just how this process works for both? Well, just for 1 because it's.

Interchangeable sure Thank you. So, um.

For all of our golf courses, we what? We put out a request for proposal on RFP.

Um, and that goes out for anybody to.

Provide a proposal to the city to manage our courses.

Whether they're a management company or a golf professional.

We have golf professionals at 8 of our 10 courses currently.

The 2 that are vacant are Cherokee and sun Valley.

We did put out a RFP for both of those, and we received responses.

For both golf courses, Cherokee received 2 responses.

And Sun Valley received 3 out of all those responses.

We selected the candidate, or the proposal that we thought was that the.

The best proposal to manage both of our golf courses.

So, before you file or golf.

For Sun Valley golf course and.

Wilson Christopher Wilson for charity golf course.

So, once once the RFP went out, we got the proposals. We, we basically, we sit down and we have a meeting. We go over.

Uh, all of the proposals and we score those proposals.

And once they're scored, we have follow up interviews.

With those proposals.

And then we decide from there, you know, who we, who we feel is best to, to manage that course.

And.

Thank you. Mr. chair. So thank you Nathan.

So just a little bit of background on Sun Valley, the.

The Pro that was there until November 1.

Left and so that's been run by the parks department since then. So it's really good to get that done.

Turkey has been without a pro for 2.

Maybe 2 and a half years. So this, this is.

Really good to get this family.

Taking care of so that, you know, the, the patrons can enjoy the forces.

You know, have beer if they won't beer because you.

They didn't sell beer if it was run by the Metro, but anyway, I appreciate your support on both of these. And by the way Mr. founder is not related to me. Thank you.

So, any other committee members have questions.

For the record, we have vice chair, Marilyn Parker joining us virtually. We also have.

Council member Dan, joining us virtually.

All right, thank you so much for being here.

And you might have some other questions later, just email, and we'll get those followed up.

Thank you, we'll jump to item number 3 real quick.

Our dash 02123 a resolution pursuant to the capital and operating budget ordinances, approving the appropriation.

To fund the following sole source contract for the zoo.

Concerning parts, maintenance, repair and service for the.

Antique conservation, Carousel, carousels and carvings ink 100,000 dollars. I have a motion.

Motion and 2nd, to committee member.

Yeah, I agree to sponsor this, but I believe.

Stephanie more will be there from the zoo to explain what needs to occur.

Come on up, we've also been joined by.

Council member Jennifer chapel.

Thank you. Mr. chair. All right.

I'm John, I'm the guest service manager at the local zoo.

Stefan couldn't make it today so this.

100,000 dollars contract is with the carousel and carving.

A carousel was built in 1019.

Ptc 49 that stands for Philadelphia, Philadelphia to bogging company.

The money would cover repairs inspections.

And the creation of new figurines, which are all individually hand carved.

Um, we have a total of 46 figures carousel and carving things is the only vendor who has the parts that are specific.

To our carousel in all of United States.

Any questions.

Any questions from committee members.

Committee member follow so I'm sorry is that a year in annual contract?

Yes. Okay. Thank you.

I don't see anyone else in the queue committee member that Shawn.

Thank you Mr. chair um, just to piggyback off miss councilmen because it's an annual contract for 100,000 dollars.

Or is it just a 1 time spend of 100,000 dollars with an annual contract? I believe it's a 1 time spend with an annual renewal. I don't think it's.

So, they cover we've pretty much had to replace.

Being it's over 100 years old, we've had to replace a bunch of the brackets on it and a lot of the original horses on it.

We put we've kind of transformed it into something.

Different that meets the zoom's mission. So we have like, animals that are going extinct or on the.

In our conversation, so.

Yes, I believe it is. I think it's a 1 time contract.

That will then be piggy backed off of. Okay. Thank you.

Any other questions.

Council member chapel.

Uh, 2 questions, 1, if it was an annual contract, and if it was a 1 time fee, how many years does that get the contract for.

To be completely honest with you. I am not 100% sure about that, but I can.

If you even if we, I could get Stephanie to email or I can email that answer for.

For you sure, and I'm just curious do you know the revenue of.

The carousel yes, I do. Uh, so.

The carousel for just a single ticket is 350 if someone wanted in all day passes.

450 the capture rate for the care sales.

Pretty much between 50 and 55%.

And we had over 800,000 guests come.

This past year it is by far our highest revenue generating.

Attraction that we have at the zoo currently. Fantastic. Thank you. You're welcome.

So.

Questions comments on twice go twice.

All right, this is a resolution that calls for a voice vote so on the favor, say, aye, aye, any opposed.

Okay, this resolution passes and it'll go on to the consent calendar and our next council meeting.

And we'll finish up today with item number 2.

Our dash 014 dash 23 a resolution opposing the seizure of conservation land for the purpose of building a natural gas pipeline.

To Birmingham, arboretum I always say that wrong.

And research force may have emotional on table.

2nd.

All right, the resolution is back in front of us.

Committee member Rui I know you have some questions that you wanted to get answered today.

And then we also have some correspondence from some of our other committee members from that.

We can read into the record and then we'll just go back and forth and hopefully we can vote today.

Are you we've also been joined by council member, Tammy Hawkins.

Okay, I'd like to thank everybody for coming today.

And we had some questions that we were not able to answer at our last meeting. So.

Our guests have returned to answer some of the questions that were brought up and I'd like to thank councilman.

That Sean for getting this correspondence from, I need to help get their side of.

Of the presentation, so if our guests would like to go ahead and step up and speak.

Please say your name title organization for the record Thank you.

Thank you Mitchell counsel for hosting us today. My name is Andrew Barry. I'm the director of conservation at bernheim.

Freedom and research forest so I'm here to speak about the issue of the.

Proposed pipeline that would cut across bernheim.

We've been in a fight against this for over 4 years. Now.

Um, you know, we see this pipeline is being.

Threat to what bernheim stands for for the wildlife and also for our ability to.

Connect people with nature for generations to.

So, a little bit about the pipeline 1st, just to.

Give you all a feel of what's being proposed. This is a.

12 mile pipeline that's being proposed across.

A section of bullet County, which is known for its natural.

Uh, land, clean water and also some.

Dangerous species, which lived there the pipeline is 12 inches and it.

Supposed to be constructed underground, so they are requesting a clearing of.

Cross bernheim of between 50 and 100.

But to construct the pipeline, so it's going to.

Include everything from removal of the forest permanently.

It's going to include blasting of rock outcrops cliffs.

And other stuff, straight trenching down below ground.

To put the pipeline in that would also.

Brings streams and underground cartographers.

And by cartographers is what I'm referring to are these.

Underground caves and pristine Springs.

You all are probably familiar with the concept of clean limestone water, which is.

So important for some of the industry here in central Kentucky.

bernheim is known as 1 of the refugees of where these.

Springs still remain and this side in particular hosts a number.

Of endangered species, not just fairly endanger.

That on adjacent properties, the.

Federally endangered plant at Kentucky. Glade Chris.

Uh, but then also some lesser known, but equally rare species.

That aren't federally protected, but it's such as the hidden spring snail.

Which is known from less than 5 sites in the world and is.

Found within the awkward 1st beneath the site that.

L. G. E. is proposing to cross.

bernheim is fighting this for a number of reasons.

1st, we are defending private property rights.

We believe that in a state, like Kentucky has a rural tradition.

Proud landowners that we have a right to.

Say, no to projects that we feel.

Represent a safety threat, or an environmental threat.

On our property, we are also fighting for the preservation of natural land.

You know, there is no dispute that there is growth in our community right now.

Growth all throughout bullet county and.

bernheim supports that, but we also want to see is.

That nature and conservation can keep pace with that growth that.

Seeing it around the greater global community bernheim is 1 of those places that work so hard.

To try to protect those green spaces, because, you know, while they're still building new roads and new infrastructure.

They're not making new natural lands. They're not making new.

Basis and we think that these kinds of infrastructure projects.

Should avoid the best remaining natural lands that we have.

Here in the greater local area, we're also fighting.

For wildlife corridors, so this was a section that bernheim had been.

Working to acquire for over a decade.

Before we learn from that, they wanted to put a pipeline across it.

Um, it takes a lot of work to create a wildlife corridor.

It is nothing short of a lot of fundraising, and a lot of time spent working with.

Landowners and a lot of time pulling over the maps.

To try to make these things happen. Like I said, in a rapidly developing and growing.

Environment around us with a lot of ladies change.

So, the work that we do is really not just to protect.  
Green spaces, but it's to provide opportunities for nature to thrive.  
And to connect up with other protected areas, but it's also to.  
Fight and allow for opportunities for people to experience.  
In nature in the future, and we're going to see those opportunities.  
Continue to decrease, unless we take a stand against projects like this  
to continue to chop up.  
And destroy what we got left, we're fighting for clean water.  
Um, you know, this project would, as I mentioned impact streams.  
Brains and underground aquifers. Some of the, the.  
Animals and habitats depend upon those.  
Um, it's not just a 1 time thing where you.  
Dig a train to put a pipe in and forget about it and everything's good  
for.  
There on this pipeline will.  
Cause excessive segmentation downstream.  
But also a destabilizes already unstable lands.  
Going across knobs that have complex.  
Geological layers that are already unstable.  
From past projects, and we even have correspondence.  
From Eastern Kentucky power to that says.  
This area is unstable, we recommend that you all.  
Avoid it cause there could be damage or other safety concerns.  
Once you get that pipeline in the ground, so it is unstable and it is  
sliding, actively.  
And we see that as a great threat for.  
In the decades to come.  
So, we're also bernheim has been around for 93 years.

We work hard to try to provide an opportunity for.

People not just in bullet County, but here are the greater mobile community to.

Come out and really experience nature. We're working hard to, to, to make sure that it is around for.

Generations to come and we also want to provide a voice.

Uh, not just for wildlife, but also.

The right players who are going to be burdened with this project.

But, see, no benefit from it. Okay, so L. G. E.

Um, is interested in this project because it provides.

Some redundancy and looping in their existing.

Gas lines, but I will say this.

There is no shortage of energy in that area. Everybody who has needed to get.

Energy has found it whether it's through gas or electrical.

And I don't see that changing anytime soon, but I do see a continued.

Piece of nature with this and other projects.

I know that has other easement lines up and down the interstate and more.

Developed areas that they could they could fall back on, but they're pushing through with this project because they've seen a blank.

But on the map, and they thought that they had an easy path through.

Uh, we're not the only ones fighting this bernheim there's a number of other land owners who are.

Learned about it and who are also, you know, just.

Struggling with the legal battles and the pressure of the.

Has wheeled it against us. This project was initially.

Proposed at 25Million dollars is raised up to over 75Million dollars.

And I expect that to continue to increase as they have recognized that.

The engineering complexities are going to be much more different.

They they expected they realize now that the legal.

Battles that they're in are much more expensive and they're seeing this as a long term project.

They were not accurate at estimating the costs now.

And so I'll find it hard to believe that we can take them at their word for what's.

Some of these long term impacts and costs are really going to be.

Um, so with that, I want to thank you all again for paying attention to this issue.

I feel it is a smaller part of what is a greater issue.

You know, recognizing that, and he has done so much for this community.

That the people that work at L. G. N. E. R. incredible people.

Right and they have helped to grow and make the community local.

And surrounding communities, what they are today, but they also have a response.

Ability going forward to do the right thing.

By the environment, and also to push for.

Sustainable and renewal renewable energy sources.

That are going to help move to meet the climate initiatives and keep.

Mobile on pace to be a safe and healthy place to live.

We don't want the immediate demands of energy from fossil fuels, like natural gas.

To kind of override some of the ecosystem services. The places.

bernheim brain that's the Clean water. The Clean Air.

Carbon sequestration, the wildlife, the opportunities for people to enjoy nature.

Um, so again, I certainly appreciate you all giving me the floor today to.

Speak about this, and I'd be willing to answer any of your questions.

Now, or maybe after after Deborah speak.

To a committee member follow, thank you. Mr. chair. Can you tell me is.

This property contiguous to the original bernheim property.

It is yeah, so the original yeah. That's correct. So building these wildlife corridors you want to make sure that everything's can. To us and that you're building off of our original base.

And so we put together a number of properties that stretch out.

To all the way to the cedar grove community, and that's why we call it. The cedar grove.

Yeah, so it is connected. It's not the main arboretum that a lot of people think about.

Uh, but again, these, these wildlife.

Connections that that extend bernheim and get us closer to.

Other protected areas and out near the salt river and concrete parent.

This may have 1 more, so.

Oh.

Purchase this property.

After the plans were already made by need to put this gas line in.

Um, so L, uh, L g and E had been working on.

The gas plan for a few years before that.

Some of that was in secret, they had rolled it into a.

Public Service commission request and had some secrecy behind that. But bernheim had actually been working on acquiring that.

Property with the landowners for over a decade.

So, we had been engaged in communications with them.

Fundraising and grant writing to get the.

Funds to purchase the property because bernheim doesn't just have that money laying around.

Uh, we've been working on the due diligence, which is the environmental assessment.

The all the things.

Go along with acquiring property surveys.

Appraisals you name it, so I would say we had been working on this, this piece of land longer than and E.

Their eyes on it, and I think they knew that and they knew that the landowners.

That they sold it to us wanted bernheim to own it and wanted it to be protected for the wildlife quarter.

I'm sorry, um, no problem.

So well, I'll come back to it. Thank you.

Okay, I saw a committee member by Sean in the queue, but did you jump out.

Jump back in actually council only ask the exact same question. I was going to ask.

But in doing some research as well.

Well, to piggyback off what you said.

You're saying that was looking at it. You all were looking at it.

And basically, whoever showed up with the money 1st bought the property.

But in that case, if you say you're looking at it.

Well, before you needed, what didn't and then they bought it.

You are you maybe had a contract to buy it while we're there.

Um, so you need it by.

bernheim bought it right. Okay. But you already knew that the.

Pipeline was going to go in prior to buying it.

No, and he had not contacted us. We had heard that there.

A pipeline proposed in that area, but we had never seen a specific.

Route and never been contacted by.

But there's a lot of things in America, you know, there could be multiple people looking at a piece of.

Property, but, you know, who acquires that property.

From that from that landowner, I believe, has.

Right. To say what should happen with it.

Um, not that, you know, we do the hard work to buy the property.

Only to see somebody else waiting in the wings and comes through what are the supporting documents that say that.

That pipeline can't go through their prior to you buying the property, or after buying the property.

I'm having a hard time following you what do you mean? Is there a supporting document that says.

L. E. has to ask bernheim to put this pipeline in there.

After that was already established after you bought the property.

It it was not established before we bought the property.

Is it been a request, you know, L. G. E.

Still doesn't have the permits all that are going to be required for them to build this pipeline.

You don't have all the easements to build the pipeline. You have the correspondence that show that it is.

Unstable track of land.

That can show that it is unstable to run that pipeline through there.

Yeah, that correspondence was all submitted during some of the.

Combination hearings that we had back in.

January, so that stuff is on the official record. I, I do not have any.

With me today for just for sake of the committee.

And for counsel as a whole, it would be, I would think.

Plans to have those correspondents in hand when a resolution is put.

Before things like that, um, and you spoke of.

Other easement lines that they can use. Do you have a map of those other easement lines?

Or on the outside of Birmingham to show.

Where these other options are possibilities can be.

No, but I will say that that stuff was again submitted during the hearings.

And so it is, it is available.

For people that want to see it, but no, I do not have it with me today.

If it's something that you guys would like, for me to email or send in, I think we can do that.

Thank you. Yeah, thank you. How many member Roy.

Yes, thank you. I just want to make sure everyone's aware that that property was bought.

With some state funds, so the state has a public interest in this.

And it was also bought and immediately put under a conservation easement.

So, that gives it protection against development or.

The full future.

That that is correct. So, in in applying for the funding, we apply for.

2 sources 1 was the Kentucky heritage land conservation fund with.

Which is a state grant fun for.

For buying lands the other 1 is the federal program the.

Harold back Conservation Fund, we were eligible for both of those.

Largely because of the natural condition.

Of the property, but also because of the federally endangered species.

Including the bats that are on that site, and part of the.

Conservation easement and deed restrictions was that bernheim pledging.

To protect that property and perpetuity and not grant things like easements for natural gas pipelines.

So, that's that's legally why we, we feel that we cannot.

Parentheses, but morally and ethically it.

It does not fit with is.

Trying to do in the region and protect in nature in wildlife.

Question about the funding, could you give us a rough breakdown?

It cost X dollars the state put in.

Yeah, so it cost roughly 1.4Million dollars.

Uh, and the state put in about 700.

6,000 the federal program, they imperiled that conservation fund also put in 706,000.

Thank you committee member follow.

Thank you Mr. chair. So you mentioned the public.

Service commissions meetings and the secrecy surrounding.

That does not public meetings. It was a document that had had submitted.

To the PSC, which was about 1000 page document that this was.

This was within and it was really.

Related to other issues, but, yeah, I mean, it eventually becomes.

Public public information, it's just hard to.

Find, and it's hard to get it. So it did there was some delay in how people found out about this proposal.

So, thank you committee member, Roy.

Okay, thank you. We are in receipt of a letter from L. G. and E.

And counseling with trainee has asked that you address directly.

A paragraph in here, so I'm going to read it in italics that says the gas pipeline will not interfere with the bernheim arboretum and research for.

The text Mr worms carefully chose his words in his March 9th presentation.

Leaving the committee with an incorrect understanding of the location and impact of the.

Planned natural gas pipeline the pipeline will not run through bernheim, arboretum and research.

Worst itself, but rather will be located on property north of and not.

Physically connected to the arboretum and research for.

That property purchased by bernheim in 2018 after.

Plans for construction of the gas pipeline, we're already well established.

List is not planned to be open to the public and is meant to serve as a wildlife.

Selected the site for the gas pipeline to maximize the use of existing utility.

Orders were feasible. Indeed. All.

4.4600 acres of the plan route.

Cross property will Co located alongside and.

Existing overhead, high voltage transmission line owned by another utility.

East Kentucky power cooperative that's significantly reducing the amount disturb.

In any resulting environmental impact.

Could you please address that? I could so the 1st point about.

Them claiming that it doesn't cross bernheim, arboretum and research.

Course, it's absolutely false arboretum and research.

Forest is everything that burn hormones.

And particularly the research for us portion, when we bought these.

These tracks and make up this wildlife corridor.

Um, it is dedicated also for edge.

And research, and while it isn't within the arboretum.

We have the bulk of our visitation. There are a number of.

Research projects that have been established on that site.

Projects around snails and bats and.

Another interesting cars features.

You know, there is definitely research happening over there and there's also a.

Station from numerous school groups and other interested people that.

Now, when to come over and see the site that is, you know.

So threatened another point. So so.

It definitely crosses burn. I'm arboretum and research.

Wars that that section is connected.

It is contiguous with all of bernheim.

And the whole idea of building these wildlife corridors is that.

It does, it connects out to other protected areas.

The other the other point, they said Co locating it along the East.

Turkey power line, so that gets back to what I mentioned before.

Or they're claiming that it lessens the impact.

Co locating it it doesn't lessen it. It actually is going to exasperate the problem.

Because, as I said, there is in.

You know, testimony and discovery.

In our court condemnation trial.

Um, there are emails from eastern Turkey power.

To engineers that say.

The route along this transmission line is unstable.

It's largely unstable because the transmission lines cleared all the.

And it's been like that for a while and the land is actively.

Lighting and slipping downwards and they say.

Putting that L. G. E. proposed natural gas pipeline.

Above that transmission line poses a risk. Not only did the L. G. and E.

Pipeline, but also to the Eastern Kentucky power.

Transmission lines and should there be a rupture? Because that lands.

Slides or slips or ruptures that pipeline not only will it take out the gas?

Could also take out the electrical transmission line.

Serves a lot more customers in that area.

In the gas line I ever would, so I would say that that Co, location that they're.

To does not lessen the threat or the impact.

It actually makes it bigger. Was there any other points in there that that I missed.

Okay, not at the moment. Thank you. Okay.

Thank you committee member bash on Thank you. A chair.

Um, to.

The last, uh, little paragraph of on the screen there.

Finally, it is important to understand that once constructed the existence of the pipeline will not hinder the.

Planned use of the property for natural wild.

Or the pipeline will be located underground, allowing all.

Manner of wildlife to cross over the land above the pipeline.

It is, I mean, nature can.

Take me go back on its own. I mean I mean, in fact that's happened for hundreds of years now. Yeah.

Happen for hundreds of years now. Yeah. You know, this is a.

You know, this is a perpetual threat to burn.

This easement lasts forever. Okay. And so you're you're correct the pipeline may go in.

They may cover it back over and you might have dear, another wildlife.

Moving over top of it, but it does represent a.

Permanent threat to the environment and the safety should this pipeline of a rupture.

We could have a huge safety and environmental.

Disaster it also grants L. G. E.

The right to be on our property forever.

Doing things to, to maintain this pipeline.

Maybe even even adding new pipelines on the site.

Who knows what is transported in the future now? It might be natural gas.

There is no limitation on what that easement could transport.

100 years from now, 200 years from now. And this is something that bernheim.

In other private landowners near us are really concerned about.

About other for profit corporations.

Using our land and doing things with it don't.

Fit with our own values or our own safety.

So, it's, it's a permanent threat, whether or not you can cover it over and wildlife could cross over it or we can drive over it. It's permanent.

Drive over it. It's permanent. 3rd, thank you. Chair. Can I say 1 more thing?

Have we are as a committee, and as the people.

You know, knowing that the greenspace can grow back and whatnot, and I understand what your point is. Right?

Right, but have we thought about the significant impact and what it will cost.

Impact in what it will cost the constituents in the residents.

In the state of Kentucky, if has to.

Alter the route, and if it costs upwards, let's just use the round number of 100Million dollars.

That's is still going to be on their baseline and it's going to trickle down to us. Who are the payers.

For our utilities on the day to day basis and that percentages. Is that not a factor that we.

Um, is that not a factor that we consider as well? I mean.

Our rates are constantly going up and inflation is through the roof. Everywhere you turn around.

As the feds just increased the interest rates the other day.

You know, so everything is raising and this is an opportunity to keep costs down.

And we're willing to pay more money to have it moving around. No, I.

No, I, I would argue that it it will save ratepayers a lot.

This pipeline does not be constructed.

L. E made an unwise decisions.

Uh, they proposed the wrong pipeline, the wrong place.

The wrong time in doubling down and saying, you know, throwing more money at it to.

Find a solution, maybe in the way to go the pipeline.

Was proposed to serve a limited number of customers originally.

Oh, is now, you know, spinning that and say, oh, well, there's.

A lot of other people and uses has the engineers.

I'm sure working over there now, they already have another route.

Out and I bet they can do it cheaper than trying to.

Go across places like bernheim, and it will be a much safer.

And more reliable product for them in the long term.

That's my strong opinion on that last thing. Cherry if that's okay.

Last thing sure if that's okay. Have you had those conversations with L. G. E directly to the.

Directly to the extent that they will discuss it with us but at this point, you know, most of what we've.

Well, we did early on we sat down at a table with LG and several times.

And explain the situation to them and now it's just gotten into a legal.

Back and forth, and knowing people, we can really, you know, correspond with.

Pretty much are the lawyers and so yeah, these, these.

These conversations have been had both in.

Person and in the public sector and so there's a lot of.

Opinions out there about it, but we have.

Seen that has a tremendous amount of.

Port right now in the community, and we see this as an opportunity for.

L E, to do the right thing to be a leader.

Just to protect the environment protect places like bernheim.

And find solutions that really meet the core.

Climate initiative here in the greater local community.

And push us towards a more sustainable renewable energy future.

Thank you.

Thank you. All right we're about a quarter to 4. so I want to invoke the Ukrainian rule. If you don't have.

You don't have something new to say, let's just keep it pushing.

Council member 1, thank you. All.

Thank you chair a couple of things I want to bring to light here. I'm looking over this.

This letter from, and there are couple things that I take.

Particular exception with.

The 1st, 1, is that that makes it very clear in this letter that they don't.

Think that this committee or the local metro council should be involved in the.

Should be involved in these discussions and I take particular exception to that.

If you don't understand that environmental of contamination is not.

Is not specific to any 1 place, then you're missing out on the entire picture number 1.

And you're missing out on the entire picture number 1.

If the parent company of and is based.

In Pennsylvania, and if they burn.

Gas and coal in Kentucky and we.

Breathe that air and have that contaminated water in Kentucky.

That does not affect the, the executives.

Of right, so.

Acting like, we don't have any.

Say, in what happens in a neighboring county the 2nd, piece of that is.

We as ratepayers and constituents, not as global metro Council.

But we guarantee L. G. E. A. monopoly.

When it comes to energy distribution in this community.

So, again, if we don't have a right to say, what happens.

What happens in a county next to us? I don't I don't really understand that argument.

And I think it's very flawed, kind of understanding. So those.

Those 2 reasons I take a particular exception to them saying this isn't your business.

You need to stay out of it so that's the 1st thing. I want to say.

The 2nd thing I want to say is they talk about this being the least cost option.

That may be the case today, but as.

Energy sources.

Renewable energy sources, the cost of those sources goes down.

Exponentially on a year by year basis this.

Will be a trap asset where they have spent.

Millions and millions of dollars for what? In very short order.

Will not be the least cost option, but will what will happen at that point.

Is they will say to all of us? Whoops, we spent the money.

And so we have to continue to use natural gas.

Long beyond when we need to be using it as a society.

Finally, we, when we talk about least cost options.

Nobody ever talks about externalities.

In economics externalities are all the costs.

Society that you can't put a price on it.

Right. So when we talk about this, being the least cost option.

We're ignoring the cost of.

Climate the cost of having dirty air that we all breathe.

Which gives us as mine and other things, and there are costs.

Associated with that, we're ignoring all the extra.

That go with yes and.

Coal electricity production, so I just.

I'll leave it at that for now, but those are things that are finally, I'll say.

That the 1st, part of this letter, they talk about how, and he understands the.

Important some environmental stewardship I mean, I'm sorry.

But when you look at what they're projecting to do over the.

In the next 30 decades, 30, 50 years.

And they're, they're planning on continuing to burn.

Cold and natural gas for all of those decades.

They clearly have no idea about economic.

And environmental stewardship in the long term and P. P. L. their parent company.

Has 1 of the worst records as a utility producer.

Of any company in the United States, they try to act like, in this letter.

That they point to Arizona and other places, but we are.  
594 "Harward, Sonya" (2060580608)

Behind the curve big time as.

A society as it relates to and and their production of energy.

Just want to make that very clear. Thanks very much here. Vice chair Parker.

I share Parker.

Vice chair.

It shows that you're.

It shows that you're muted, but when you're on mute, we can't hear you.

We can't hear you even when you.

Can you hear you even when you're on mute, maybe reset your connection.

Committee member.

Thank you. So.

This the state.

That there eminent domain.

Concerns and that the circuit court.

Put to rest that they denied birmingham's motion for further.

For the review of that issue are you familiar with that? So the, the.

So, the, the condemnation trial was in January, and there has not been a ruling.

On that so we're waiting on judge.

For us in the bullet County Circuit Court to make a ruling.

Um, but as of right now, there has been a.

I think it says that Kentucky.

Dream court denied birmingham's motion for further review of that.

For the review of that, so that was a motion from the Kentucky heritage land conservation fund.

And the energy and environment cabinet, which was just.

Which was defending the commonwealth of Kentucky.

Sovereign immunity against.

Condemnation for these kinds of projects so essentially saying that landed is.

It is owned by the state or has a has a specific interest of the state.

Like, those funded by the Kentucky heritage land conservation.

Fund should not be.

Combination of that those properties should not be allowed.

And they were not successful that was not a.

Typically, while it was related to a bernheim issue, it was not specifically brought by. Okay. Thank you.

Ok, thank you and just 1 more.

So, how how.

Large, how many miles or feet is the.

Property line that connects the 2 tracks of.

2 tracks of land you're talking about within the bernheim.

Purchase bernheim the C to grow wildlife board or.

You know, the, the width of it is.

Probably close to a mile. I don't have that number. Exactly. In my head.

Coming from clermont road, straight back towards no.

No, it's a little bit of misshapen so when you cross over highway 145, you have the.

The original contract with Mr. purchased.

In 929 and it goes up into an area known as cave hollow.

But then over the last decade, we purchased.

Some other tracks and include the headquarters of cave hollow.

The cave itself, a 950 acre property called the big level.

Just kind of a big glob there, so the corridor is a little bit misshapen.

And it kind of snakes out, and then up to the North.

But it is, it's a, it's a Pre substantial piece of land of the track that they're.

Trying to cross right now and proposing the pipeline on is about 400.

94 acres, and then the length of that pipeline across.

The bernheim section I think it was about a.

Sense of an acre so I'm sorry.

So, it's getting close to about a mile long and yeah, it's a, it's a.

Um, and, uh, yeah, it's a, it's a substantial.

Piece of property that allows for movement of wildlife, including.

Birds that terrestrial animals, like bobcats and other things like that. And I just wanted to say that.

This is a resolution.

David Gates used to always say, it's just a resolution that he would.

Still enact them, so.

So, I'm just saying it's just a resolution, so it's really like.

We have no power here, but, you know, we're glad to hear both sides.

Thank you I appreciate that. I mean, just us having this discussion.

Is really important and having you all aware as Metro council members.

We greatly appreciate you. all's time today show Parker can you hear us?  
Can we hear you?

Can we hear you? Nope.

Her dog's got his power. Yeah, if she.

Yeah, if if she would like to.

Text or email a question real quick.

Put it in the chat, I'd be glad to do this and address it that way. So okay. We're going to try letting you talk. Okay.

Okay, ready to ask a question do a test for me.

Okay.

Okay, let me go. Do you want me to talk through the phone? Yep, you're fine.

You want me to talk through the phone? Yep. Yep. Yep. We can hear you.

We can hear you. Yep. Oh, okay. Okay.

All right do we actually have a map.

That we can see of where the pipeline would actually.

So, um, I, I am not, uh.

Showing a presentation this time, but I do believe last time when.

Warms this here from bernheim, he did show a map on.

The on the screen today, I just wanted to have a conversation with you all and not bog you down with him.

But if that's something that you would like, we can, we can send that along with anything else that.

In India, the metro council members would like to just for the members of the public.

For the members of the public and the committee, there is a presentation 2023 metro presentation underscore 1, it's a PDF and it does feature a map.

Okay.

Um, and how deep would the, the pipe actually be.

The pipe actually be placed underground. Um, that's a good.

That's a good question. So we would think it would be.

At least 4 to 5 foot. Of course, I'm not an engineer.

But, you know, it will be underground and it will be covered over.

Some other sections of bernheim, you know, we had we have a.

Existing easements from other pipelines, like a oil pipeline.

Runs through the center of bernheim that was.

That was there before we bought the property, we've had a number of problems with.

That in recent years they actually had to do a major.

Restoration overhaul of that pipeline just.

Year and, you know, in places that pipeline had wrote it down to where it was.

Several inches under the ground, but, you know, that's kind of the range that that we think.

It would be in 5 foot to the.

Did I hear you saying that their trees are already clear from that area? No, the trees are cleared from the.

No, the trees are cleared from the transmission East Kentucky power line.

Transmission, which is directly adjacent to it on the, on the site that they're proposing this, this.

The natural gas pipeline it is completely forested.

It's natural Geological outcroppings. So you have a number of.

Really nice rock features streams and mature forest on the site right?

Okay, and 1 other thing.

What you mentioned there were projects in the past that had caused lining activity what were those projects.

What were those projects? So, on that side.

Kentucky power transmission line.

Which, which as the mentioned, they wanted to CO locate next.

To that just the clearing.

Of the land in such a wide strip through there on the unstable geology is.

What caused those slides and slips and, you know, some of that is.

Is natural and then you see in this all throughout.

The knobs and things things just slide down. You've got.

Complex Geological layers of sandstone shale.

And limestone and water moving in between.

Clean them and so you've always seen a sloughing, you know, of that land and.

And, I mean, that's how knobs are formed right? But when you clear that.

You clear the trees off of it and then, you know, leave that open and exposed.

Along those edges you see that sliding is slipping exasperated.

Um, and so that's the situation we're in right now.

And I believe that Deborah who wanted to.

Next said she does have some of that correspondence.

She would like to read to the council about the instability along long that section.

Um.

Okay, just as my last question with the engineers, would they not account for that?

The instability and.

It seems like that could pretty much happen anywhere that they would put a pipeline. Well, you know.

Well, you know, I really hope that the engineer.

We'll take account for it, and I believe that there are.

Some really educated and inform people at that are pushing against this.

Happening because they know what what the dangers are.

And what the, what could happen if, and he puts it.

Pipeline and then within the next decade, it fails.

They know what that's going to do reputation if they use.

If they use some of those alternative routes, which follow some of the more.

You know, the major.

Transportation routes along highways and other flatland.

They will not have the same problems. It's when you start crossing the knobs and the unstable.

Train that those pipelines have a lot of problem.

But if you stay in the flat area, like, think about like a.

The local water company, and how they run their water.

Pipelines or the or the how they.

They follow the, you know, the gradient and the.

Contours then you won't have as much problem with this.

Sliding and slipping, and he knows that and and.

We're hoping that they will see that those alternative routes.

Are going to fit this project a lot better for their needs for birmingham's needs in the community.

Thank you thank you committee member, Roy.

Thank you I just wanted to.

I just wanted to call attention. This has taken.

Quite a bit longer than we anticipated that there is also another presentation in the document.

Presentation in the documents that we may not be able to get to.

Get to today, but I think it will address a lot of concerns as.

Concerns as far as the instability of the land and the dangers.

Of slippage and pipelines breaking and exploding.

So, if you have the opportunity to look at that, I do recommend it is the 1.

I do recommend it is the 1 labeled bernheim, arboretum and research force presentation. It's a PDF.

Your guest give us a quick overview of that? Yes, I can.

Thank you all please say your name for the record.

Actually set up on the.

Give her a pot no got it off.

And I am here today to represent the coalition.

Of many organizations and.

People who care deeply about this and oppose.

Time the.

Pipeline through Bernard clearly I don't have time.

I'm assuming chairman Arthur that I don't have time.

Presentation was about 8 minutes long. I probably don't have time to go through the whole thing. Right?

Go through the whole thing, right? If you could give us a quick overview, we would have.

Appreciate it? Well, I wanted to talk 1st about why.

Local metro council should care about this.

And 1, we've already addressed, which has to do with the.

Break pairs and it's it's rate mostly.

Livable rate pairs that will be paying for this.

And who knows how much this is really going to cost.

Another is that bernheim has been a tremendous.

A friend to to.  
But with programs and.  
Could just pull that slide up if you don't mind.  
Here are some of the partnerships that bernheim has.  
With mobile and work, they do.  
With with our minority communities with.  
Folks who are marginalized.  
And, you know, it just feels like we need to stay.  
And you need to stand as a friend to burn.  
Well, I also wanted to talk about the need for this.  
Line this pipeline originally was intended.  
For the 1st, 5 years to serve.  
Kim beam and that's that was in court.  
Covering most of that was trying to go to gym beam.  
Convenient now moving toward bio gas.  
And and this is really important for you to know.  
Not only is Jim Beam not going to be using.  
Additional new sources of energy that this pipeline.  
Was originally intended to serve, but they're not going to use.  
The, the resources, the gas resources.  
They have been using my understanding is that Jim beam.  
Has been the 2nd, largest consumer.  
A, 2nd, only to Ford in our state.  
For graphs, and and they're not going to use to any of that.  
Anymore, so that leaves that excess.  
And so I just, you know, LG has not been at all.  
Forthcoming about who this is intended.

To serve and.

If it's if it's local and revenue and made this.

Point last time we were together if it is.

Developments if it is residential communities.

They can and should be served by electricity.

And over time by developing renewable resources.

For that electricity I really wanted.

Talk about oh, Here's a this is an interesting.

That you are among the very 1st to see this.

Comes from century.

And that shows that they will not only have everything they need.

Or they're out of the bio calf, but they're going to.

Who projected to on almost a 1Million dollars.

By selling excess electricity back to the grid from their bio digest.

So, Where's the need? Why do we need.

To build a new pipeline through bernheim forest.

During, uh, wildlife corridor in the process.

I really wanted to talk about the risks of.

A bit more and and I have some of those documents are.

Excerpts from some of the documents that you were asking about.

There was an article in green America that.

Dates natural gas pipelines explode with alarming.

In the U. S killing and injuring people and causing millions of dollars.

Damage this.

Slide that you're seeing in front of you this is 20 years of national.

Explosions and you can see the feet.

Holidays the injuries and the tremendous cost.

To to property.

Because of gas explosions, this isn't.

This is all gas, not just the high pressure.

Saying guess I wasn't able to tease that out, but here is.

Next slide was a list of pipeline.

Functions in Kentucky, so, you know, this is not.

Pie in the sky, this is not imagine this is.

This has happened in our state and.

Look, particularly at the still.

County gas pipeline that was caused by land.

Movement which I think is.

We're going to remain to what we're talking about today, so there is.

True reason to believe that the pipeline for cedar grove.

Wildlife Carter is a disaster waiting to happen you.

Heard from Andrew about this.

Unstable terrain and I want to I want to.

For 2 quotes, this is from the center for biological diversity to the Kentucky division of water.

This letter States, the bullet county pipeline will traverse the.

Approximately 5 miles of steep terrain with.

20 to 40% slopes that have poor soils for the.

History of landslide El Jamie will remove a.

Approximately 39 acres of forested habitat.

That cover, including areas classified as high.

I soil slippage potential and what requires.

Special engineering techniques and subsurface draining.

Drainage measures also an email with.

Sent from Eastern Kentucky power company.

In 2015 and they provide.  
The electricity to bullet county and what they say.  
Both maintenance for this, an email to L. G.  
Of maintenance and engineering are not comfortable with the.  
Pipeline construction or final location.  
Again, the concern is with the overall stability of the.  
Area sorry, I don't have more favorable answers for you.  
But with the soil stability or slipping.  
Issues we have had in that area, there's just a lot of concern.  
With any possible disturbance, close to our.  
Funny finally L. G. and E.  
Talks about flooding in 1 of their own publications.  
Talks about flooding being major.  
Or a common cause of damage to.  
Gas pipelines and I want to show you.  
These are slides taken by Kim Robert, who is.  
Land owner whose land? I think it has.  
Condemn the pipeline is due to run through her land.  
And you can see the dates when these pictures were taken.  
And and the land is tremendously.  
Got it so I want to say between flooding and land sides above ground.  
London sinkholes and around what could possibly.  
Go wrong. We really, really don't want to be the next East.  
So, there are alternative.  
Is energy I have some.  
Technical stuff I could offer counsel.  
When I kind of summarize that, so I'll leave it at that, but it really.

We really should be moving toward not.

Pass the electric and renewable sources.

In fact, rubber, no, I has data.

From research projects that are beginning to show that.

Renewable sources are actually not only more reliable, more cost efficient.

So, we don't need a new methane gas pipeline in our area. Not I that threatens endangered species violate.

Conservation easement destroys a critical wildlife corridor and puts water.

And error at serious risk please natural.

Council in this committee, amplify our voices.

Here today by passing this resolution.

Thank you so much committee member Baker.

Thank you Mr. chair I want to 1st thank everyone who spoke.

1st, thank everyone who spoke today. My colleagues, and also everyone in the.

Colleagues, and also everyone in the audience and Mr. chair. I'd like to call the question a motion. Do we have a 2nd all in favor?

Any opposed I think we might have been calling it anyway. I don't see anybody else in the queue since we have somebody abstain from this. We'll need to do.

Since we have somebody abstaining from this, we'll need to do a roll call vote. Please.

We have someone abstaining, so we'll have to do a roll call though.

You doing on the.

And this is a vote in support of.

Or an opposition of the resolution before us, this is a vote for the resolution.

Vice chair.

She said.

Can you give a signal vice chair for.

Thumbs up thumbs down.

Vice chair portal thumbs up thumbs down.

Are you saying present.

Thank you.

Yes, committee member, moving him.

I will need to abstain to to my wife's employment with.

All right.

We got 3 places to nose 1 extension.

And.

And 2 presence, so the resolution passes with approval, and we will actually put it on a.

And we will actually put it on old business and the next council meeting. Thank you all so much. Thank you. Also.

So much, thank you all so much and we don't have any more business we're doing. Adjourned