

## 1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 DECEMBER 12, 2013

3 The Owensboro Metropolitan Planning Commission  
4 met in regular session at 5:30 p.m. on Thursday,  
5 December 12, 2013, at City Hall, Commission Chambers,  
6 Owensboro, Kentucky, and the proceedings were as  
7 follows:

8 MEMBERS PRESENT: Ward Pedley, Chairman  
9 Irvin Rogers, Vice Chairman  
10 Gary Noffsinger, Director  
11 Terra Knight, Attorney  
12 Tim Allen  
13 Wally Taylor  
14 John Kazlauskas  
15 Fred Reeves  
16 Larry Boswell  
17 Beverly McEnroe  
18 Steve Frey

14 \* \* \* \* \*

15 CHAIRMAN: Call the Owensboro Metropolitan  
16 Planning Commission December 12, 2013 meeting to  
17 order. We will begin our meeting with a prayer and  
18 pledge of allegiance to the flag. Would you stand,  
19 please.

20 (INVOCATION OF PLEDGE OF ALLEGIANCE.)

21 CHAIRMAN: I would like to welcome everyone.  
22 Anyone wishing to speak on any item you may do so. We  
23 welcome your additional comments that you might have.  
24 So we ask that you step to one of the podiums and  
25 state your name and be sworn in. Please speak into

1 the microphone.

2 Commissioners, would you do the same, speak  
3 into the microphone.

4 With that the first item on the agenda is to  
5 consider the minutes of November 14, 2013 meeting.  
6 Are there any additions or corrections?

7 (NO RESPONSE)

8 CHAIRMAN: If not the chair is ready for a  
9 motion.

10 MR. TAYLOR: Motion for approval.

11 CHAIRMAN: Motion for approval. Do we have a  
12 second?

13 MR. FREY: Second.

14 CHAIRMAN: We have a second. All in favor of  
15 the motion raise your right hand.

16 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

17 CHAIRMAN: Motion carries unanimous.

18 I believe Mr. Noffsinger has a presentation  
19 for Mr. Allen. So we'll do that next.

20 (PRESENTATION TO TIM ALLEN.)

21 CHAIRMAN: Next item, please.

22 -----

23 ZONING CHANGE

24 ITEM 2

25 238 Hillbridge Road, 0.220 acres

1 Consider zoning change: From R-1A Single-Family  
2 Residential to B-4 General Business  
Applicant: Koger Properties, LLC

3 MS. KNIGHT: State your name for the record.

4 MS. EVANS: Melissa Evans.

5 (MELISSA EVANS SWORN BY ATTORNEY.)

6 MS. EVANS: First of all, I would like to  
7 state that all rezonings heard tonight will be final  
8 21 days after the meeting date; unless an appeal is  
9 filed. If an appeal is filed, the rezoning  
10 application will be forwarded to the appropriate  
11 legislative body for final action. The appeal forms  
12 are located in our office, on our website and on the  
13 back table here in this room.

14 PLANNING STAFF RECOMMENDATIONS

15 The Planning Staff recommends approval subject  
16 to the findings of fact that follow:

17 FINDINGS OF FACT:

18 1. Staff recommends approval because the  
19 proposal is in compliance with the community's adopted  
20 Comprehensive Plan;

21 2. The subject property is located in a Rural  
22 Community Plan Area, where general business uses are  
23 appropriate in limited locations;

24 3. The proposal conforms to the Comprehensive  
25 Plan criteria for nonresidential development;

1           4. The proposal is a logical expansion of B-4  
2 zoning to the east; and,

3           5. At 0.220 acres, the proposal is not a  
4 significant increase in commercial zoning in the area  
5 and should not overburden the capacity of roadways and  
6 other necessary urban services that are available in  
7 the affected area.

8           MS. EVANS: We would like to enter the Staff  
9 Report into the record as Exhibit A.

10          CHAIRMAN: Anyone here representing the  
11 applicant?

12          APPLICANT REP: Yes.

13          CHAIRMAN: Anyone here have any questions or  
14 comments on this application?

15          (NO RESPONSE)

16          CHAIRMAN: Any commission members have any  
17 comments or questions?

18          MR. BOSWELL: Mine is more of a general  
19 nature, I guess, because I've seen this on a number of  
20 different reports.

21                What is actually permitted under outdoor  
22 storage? Do we have any definitions of what is  
23 permitted whenever you zone that or rezone this for  
24 that purpose?

25          MR. NOFFSINGER: Pretty much outdoor storage

1       would be anything that's stored outdoors. Because  
2       this is for indoor storage, mini-storage is what it is  
3       and they have to obtain a Conditional Use Permit.  
4       Their outside area would not typically have to be  
5       screened to the degree as if they were going to store  
6       materials outside. If they had materials stored  
7       outside, then that would constitute having to screen  
8       that as an outdoor storage area. That could be  
9       vehicles, could be campers, boats, anything of that  
10      nature would kick that requirement in.

11               MR. BOSWELL: I just didn't know if we had a  
12      specific definition anywhere in our comprehensive plan  
13      or anywhere.

14               CHAIRMAN: Any other questions from the  
15      commissioners?

16               (NO RESPONSE)

17               CHAIRMAN: If not the chair is ready for a  
18      motion.

19               MR. NOFFSINGER: Mr. Chairman, before we move  
20      forward, Commissioner Boswell has asked a specific  
21      question that I would like to give a specific answer  
22      to.

23               He has asked if we have a definition for  
24      outdoor storage in the zoning ordinance. Staff is  
25      looking and the Staff zoning administrator is telling

1 me that there is not a specific definition for outdoor  
2 storage in the zoning ordinance.

3 MR. BOSWELL: Thank you.

4 CHAIRMAN: Someone from Staff going to give us  
5 a definition of that?

6 MR. NOFFSINGER: I gave the definition from  
7 our perspective. The zoning ordinance is not going to  
8 be able to define everything. Therefore, we have to  
9 go to the Websters Dictionary from time to time and  
10 other resources to determine what outdoor storage  
11 would be. There's not a specific definition in the  
12 zoning ordinance.

13 CHAIRMAN: With that any other comments on the  
14 motion?

15 (NO RESPONSE)

16 CHAIRMAN: Chair is ready for a motion.

17 MR. REEVES: I move for approval based on  
18 Staff's Findings of Fact 1 through 5.

19 CHAIRMAN: We have a motion by Mr. Reeves.

20 MR. FREY: Second.

21 CHAIRMAN: We have a second by Mr. Frey.

22 Comments or questions on the motion?

23 (NO RESPONSE)

24 CHAIRMAN: All in favor of the motion raise  
25 your right hand.

1 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

2 CHAIRMAN: Motion carries unanimous.

3 ITEM 3

4 Portion of 2419 West Parrish Avenue, 0.17+/- acres  
5 Consider zoning change: From B-4 General Business to  
6 I-1 Light Industrial  
Applicant: West Parrish Plaza, LLC

7 PLANNING STAFF RECOMMENDATIONS

8 The Planning Staff recommends approval subject  
9 to the conditions and findings of fact that follow:

10 CONDITIONS:

11 1. Submission of a Minor Subdivision Plat  
12 consolidating the portion of the subject property with  
13 the property to the north; and,

14 2. Access to West Parrish Avenue shall be  
15 limited to the existing access on 2415 West Parrish  
16 Avenue as approved July 2011.

17 FINDINGS OF FACT:

18 1. Staff recommends approval because the  
19 proposal is in compliance with the community's adopted  
20 Comprehensive Plan;

21 2. The subject property is located in a  
22 Business Plan Area where light industrial uses are  
23 appropriate in limited locations;

24 3. The proposed use for storage buildings  
25 conforms to the criteria for nonresidential

1 development;

2 4. The proposal is a logical expansion of  
3 existing I-1 Light Industrial zoning to the west and  
4 north; and,

5 5. At 0.17+/- acres, the proposal does not  
6 significantly increase the extent of industrial zoning  
7 in the vicinity and should not overburden the capacity  
8 of roadways and other necessary urban services that  
9 are available in the affected area.

10 MS. EVANS: We would like to enter the Staff  
11 Report into the record as Exhibit B.

12 CHAIRMAN: Anyone here representing the  
13 applicant?

14 MR. KAMUF: Yes, sir, Mr. Chairman. Here to  
15 answer any questions.

16 CHAIRMAN: Thank you, sir. We'll see if we  
17 have questions.

18 Anyone here have any comments or questions on  
19 the application?

20 (NO RESPONSE)

21 CHAIRMAN: Any commission members have any  
22 comments or questions on the application?

23 (NO RESPONSE)

24 CHAIRMAN: If not the chair is ready for a  
25 motion.



1           MR. KAZLAUSKAS: Mr. Chairman, I make a motion  
2           that the amendment be approved based on the Planning  
3           Staff Recommendations, Conditions 1 and 2 and Findings  
4           of Fact 1 through 5.

5           CHAIRMAN: We have a motion for approval by  
6           Mr. Kazlauskas. Is there a second?

7           MR. BOSWELL: Second.

8           CHAIRMAN: Second by Mr. Boswell. Any  
9           comments or questions on the motion?

10          (NO RESPONSE)

11          CHAIRMAN: All in favor of the motion raise  
12          your right hand.

13          (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

14          CHAIRMAN: Motion carries unanimous.

15          Next item, please.

16          ITEM 4

17          11042 St. Joseph Lane, 0.839+/ acres  
18          Consider zoning change: From B-4 General Business to  
19          R-1A Single-Family Residential  
20          Applicant: St. Alphonsus Parish of St. Joseph,  
21          Kentucky Inc.

22          PLANNING STAFF RECOMMENDATIONS

23          The Planning Staff recommends approval subject  
24          to the findings of fact that follow:

25          FINDINGS OF FACT:

26                  1. Staff recommends approval because the  
27          proposal is in compliance with the community's adopted

1 Comprehensive Plan;

2 2. The subject property is located in a Rural  
3 Community Plan Area where Rural Small-lot Residential  
4 uses are appropriate in general locations;

5 3. The proposal is a logical expansion of  
6 existing R-1A Single Family Residential zoning  
7 surrounding the property;

8 4. The subject property has road frontage on  
9 St. Joseph Lane, a public street; and,

10 5. At 0.839 +/- acres, the subject property  
11 can accommodate an on-site septic system.

12 MS. EVANS: We would like to enter the Staff  
13 Report into the record as Exhibit C.

14 CHAIRMAN: Anyone here representing the  
15 applicant?

16 APPLICANT REP: Yes.

17 CHAIRMAN: Anyone have any comments or  
18 questions from the application?

19 (NO RESPONSE)

20 CHAIRMAN: Commission members have any  
21 comments or questions?

22 (NO RESPONSE)

23 CHAIRMAN: If not the chair is ready for a  
24 motion.

25 MR. ROGERS: Motion for approval based on the

1 Planning Staff Recommendations with the Findings of  
2 Fact 1 through 5.

3 CHAIRMAN: We have a motion for approval by  
4 Mr. Rogers.

5 MR. TAYLOR: Second.

6 CHAIRMAN: We have a second by Mr. Taylor.  
7 Comments or questions on the motion?

8 (NO RESPONSE)

9 CHAIRMAN: All in favor of the motion raise  
10 your right hand.

11 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

12 CHAIRMAN: Motion carries unanimously.

13 Next item, please.

14 -----

15 MAJOR SUBDIVISIONS

16 ITEM 5

17 Gateway Commons, 12.867 acres  
18 Consider approval of major subdivision preliminary  
19 plat.  
Applicant: Gateway Land, LLC

20 MR. NOFFSINGER: Mr. Chairman, this plan has  
21 been reviewed by the Planning Staff and Engineering  
22 Staff. It's found to be in order. The use is  
23 consistent with the underlying zoning and adopted  
24 Comprehensive Plan and it's ready for your  
25 consideration.

1 CHAIRMAN: Anyone here representing the  
2 applicant on this?

3 APPLICANT REP: Yes.

4 CHAIRMAN: Commission have any comments or  
5 questions on the application?

6 (NO RESPONSE)

7 CHAIRMAN: If not the chair is ready for a  
8 motion.

9 MR. REEVES: Motion for approval.

10 CHAIRMAN: We have a motion for approval by  
11 Mr. Reeves.

12 MR. FREY: Second.

13 CHAIRMAN: Second by Mr. Frey. Comments or  
14 questions on the motion?

15 (NO RESPONSE)

16 CHAIRMAN: All in favor of the motion raise  
17 your right hand.

18 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

19 CHAIRMAN: Motion carries unanimous.

20 Next item.

21 -----

22 MINOR SUBDIVISIONS

23 ITEM 6

24 805 Skyview Drive, 15.083 acres  
Consider approval of minor subdivision plat.  
25 Applicant: John L. & Leigh Ann Kuegel, Jr. & Faye  
Kuegel

1           MR. NOFFSINGER: Mr. Chairman, this plan has  
2       been reviewed by the Planning Staff and Engineering  
3       Staff. It does come to you as an exception to the  
4       subdivision regulations and Brian Howard is here to  
5       discuss this application with you.

6           MS. KNIGHT: State your name, please.

7           MR. HOWARD: Brian Howard.

8           (BRIAN HOWARD SWORN BY ATTORNEY.)

9           MR. HOWARD: As Mr. Noffsinger stated, this  
10      plat does come before you as an exception.

11           There's an existing farm parcel that has a  
12      home on it. This plat will create a lot around the  
13      existing home. It has limited road frontage on  
14      Skyview Drive which was stubbed to the property line.  
15      They have reserved a 50-foot strip in there as an area  
16      where that roadway could be extended at some point in  
17      the future should the rest of the farm parcel be  
18      developed. It only has the 50-feet of road frontage.  
19      The remainder of the farm tract is being consolidated  
20      with an existing farm to the west. There will be no  
21      land lock parcel as part of what they're proposing.  
22      With the fact that it's been created around an  
23      existing home we would recommend that you consider it  
24      for approval.

25           CHAIRMAN: Commissioners have any comments or

1 questions on this application?

2 (NO RESPONSE)

3 CHAIRMAN: Does anyone in the audience have

4 any questions on the application?

5 (NO RESPONSE)

6 CHAIRMAN: If not the chair is ready for a

7 motion.

8 MR. BOSWELL: Motion for approval.

9 CHAIRMAN: Motion for approval by Mr. Boswell.

10 MR. TAYLOR: Second.

11 CHAIRMAN: We have a second by Mr. Taylor.

12 Comments or questions on the motion?

13 (NO RESPONSE)

14 CHAIRMAN: All in favor of the motion raise

15 your right hand.

16 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

17 CHAIRMAN: Motion carries unanimous.

18 -----

19 NEW BUSINESS

20 ITEM 7

21 Consider approval of October 2013 financial statements

22 MR. NOFFSINGER: Mr. Chairman, each member has

23 been mailed a copy of these financial statements and

24 they are ready for your consideration.

25 CHAIRMAN: Commissioners have any comments on

1 the financial statement?

2 (NO RESPONSE)

3 CHAIRMAN: If not the chair is ready for a  
4 notion.

5 MR. KAZLAUSKAS: I make a motion they be  
6 approved.

7 CHAIRMAN: We have a motion by Mr. Kazlauskas  
8 for approval.

9 MR. BOSWELL: Second.

10 CHAIRMAN: Second by Mr. Boswell. Comments or  
11 questions on the motion?

12 (NO RESPONSE)

13 CHAIRMAN: All in favor raise your right hand.

14 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

15 CHAIRMAN: Motion carries unanimous.

16 ITEM 8

17 Consider approval of the Public Improvement  
18 Specifications surety unit cost annual revision.

19 MR. NOFFSINGER: Mr. Chairman, these numbers  
20 represent what the Public Improvement Specification  
21 Review Committee is recommending to you as costs that  
22 are amounts that developers would post for  
23 infrastructure within the development. Infrastructure  
24 such as new streets, sanitary sewers, storage drainage  
25 systems and whatnot. These numbers when development

1 comes in all improvements that are not installed prior  
2 to the issuance or approval of a final plat the  
3 developer must post surety for the improvements that  
4 are not complete. So these amounts are what they  
5 would post to you to guarantee that the public  
6 infrastructure or other infrastructure is installed.

7 The Planning Staff submit these to you as  
8 revised costs. Each member has been mailed a copy.  
9 We would recommend that you approve these costs for  
10 2014.

11 CHAIRMAN: Commissioners, last Wednesday the  
12 PI Spec Committee reviewed all of these surety  
13 updates. Was in agreement to update according to what  
14 was provided to you. With that it's ready for your  
15 consideration and chair is ready for motion for  
16 approval.

17 MR. KAZLAUSKAS: Mr. Chairman, I had the  
18 opportunity to attend that meeting. To be honest with  
19 you it wasn't as contentious as I thought it was going  
20 to be on raising some of these prices. I make a  
21 motion that they be approved.

22 CHAIRMAN: We have a motion for approval by  
23 Mr. Kazlauskas.

24 MR. FREY: Second.

25 CHAIRMAN: We have a second by Mr. Frey. Any



1 comments or questions on that motion?

2 (NO RESPONSE)

3 CHAIRMAN: All in favor of the motion raise  
4 your right hand.

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: Motion carries unanimous.

7 ITEM 9

8 Consider creation of a subcommittee to review the OMPC  
9 Bylaws and Personnel Policy

10 CHAIRMAN: Commissioners, at last month's  
11 meeting I brought to you and Melissa handed out to you  
12 the bylaws and the personnel policies for you to  
13 review it. The purpose of that was to create a  
14 committee or subcommittee to review all of these.  
15 Tonight I'm prepared to appoint a committee to do  
16 that.

17 Before I do it, are there any comments on the  
18 bylaws or the personnel policy that you might want to  
19 state before I appoint a committee to review this and  
20 bring it back to this commission? Are there any  
21 comments before I appoint a committee?

22 MR. KAZLAUSKAS: Mr. Chairman, I have had the  
23 opportunity to review the bylaws and go through the  
24 personnel policy manual. I think that moving forward  
25 with a subcommittee to review them to see if needed

1 changes is a good move, to move forward. I myself  
2 have some questions about some things that might be  
3 outdated. I think it's a very good move that we move  
4 forward with a subcommittee to review these and bring  
5 back some suggestions to the full committee.

6 CHAIRMAN: Okay. I'm prepared to do that. So  
7 I'm going to appoint subcommittee.

8 MS. KNIGHT: Mr. Chairman, if I may interrupt.

9 It would be my suggestion that a motion be  
10 made to allow you to appoint a subcommittee in  
11 whatever way you deem necessary or whatever way the  
12 commission feels appropriate. In my review of the  
13 bylaws, I believe that's the appropriate step to take.

14 CHAIRMAN: We need a motion to allow me to  
15 appoint a subcommittee.

16 MR. REEVES: Mr. Chairman, I make a motion  
17 that we authorize the Chairman of the OMPC to appoint  
18 a subcommittee to bring back suggestion revisions of  
19 the bylaws and the personnel policy to OMPC.

20 CHAIRMAN: You heard the motion by Mr. Reeves.  
21 Do I have a second on that?

22 MR. BOSWELL: Second.

23 CHAIRMAN: We have a second by Mr. Boswell.  
24 Any comments or questions on that motion?

25 (NO RESPONSE)

1 CHAIRMAN: All in favor of the motion raise  
2 your right hand.

3 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

4 CHAIRMAN: The next thing I would do then,  
5 Counselor, if I'm in order, I will appoint a  
6 subcommittee.

7 MS. KNIGHT: Yes.

8 CHAIRMAN: I would like to appoint two from  
9 the county appointees and the city appointees.

10 With that I'm going to appoint Mr. Kazlauskas.  
11 He's a city appointee. And going to appoint Fred  
12 Reeves, he is a city appointee.

13 I'm going to appoint Mr. Larry Boswell. He is  
14 a county appointee. And I am a county appointee so  
15 I'm going to actually appoint myself to serve on that.

16 Also, I'm going to appoint Gary Noffsinger to  
17 serve on that since he is the director and he's fully  
18 involved with the personnel policies and also the  
19 bylaws.

20 I'm also going to appoint Mr. Kazlauskas to  
21 chair that committee.

22 After the meetings or whatever the committee  
23 comes up with, then it will be brought back to this  
24 commission for a consideration for approvals or  
25 additions.

1           With that, the subcommittee to have  
2       Mr. Kazlauskas to chair the meetings and bring it back  
3       to the commission.

4           Am I in order on that, Counselor?

5           MS. KNIGHT: I believe so, yes.

6           CHAIRMAN: Is that all we need to do on that,  
7       Counselor?

8           MR. NOFFSINGER: Will counsel be present at  
9       those meetings?

10          CHAIRMAN: Well, I think probably, yes. I  
11       think the counselor should be. Should the chairman  
12       decide that of the subcommittee.

13          MS. KNIGHT: I would be happy to be present,  
14       if you have some comments.

15          MR. KAZLAUSKAS: I think there is going to  
16       have to be a time where she is going to have to review  
17       decisions that might be made. I'll leave that up to  
18       the committee that has been chosen to make that  
19       decision, but in my opinion, I think for the first  
20       review, that I don't really think she needs to be  
21       there until we get a foundation to move forward. Then  
22       maybe our second meeting we can have her come in to  
23       review to see that we're moving forward in the right  
24       direction. I don't want to take up her time if this  
25       turns out to be quite lengthy. I would rather have

1 the committee make some suggestions, some ideas, and  
2 then run it by her to make sure that everything is in  
3 compliance with the laws and what we're trying to do.

4 While I'm on that, with the holidays coming  
5 up, if no one has any objections, if none of the  
6 committee members have any objections, we'll wait  
7 until after the first of the year and then we'll get  
8 in touch with everybody so we won't take advantage of  
9 anybody's holiday time.

10 CHAIRMAN: Okay.

11 MS. KNIGHT: I would just like to remind the  
12 committee about the potential of the open meetings  
13 act. So if there are any questions about that, please  
14 discuss with me.

15 MR. KAZLAUSKAS: There will not be a quorum.

16 MS. KNIGHT: I understand that there's not  
17 going to be a quorum of the commission there, but  
18 there may be some other potential applications of  
19 that. I would just want you to be aware of that.

20 MR. KAZLAUSKAS: Very good. Thank you.

21 CHAIRMAN: Any other comments on the  
22 subcommittee?

23 (NO RESPONSE)

24 CHAIRMAN: If not we will move on to the next  
25 item.

1       ITEM 10

2       Comments by the Chairman.

3               CHAIRMAN: First, I would like to recognize a  
4       new commission member, Ms. Beverly McEnroe. I would  
5       like to welcome you. Any help that I might be to you  
6       as your chairman, give me a call. I'm available at  
7       all times.

8               MS. MCENROE: Thank you.

9               CHAIRMAN: Welcome to the commission.  
10       Anyone else have any comments to Ms. McEnroe?

11       (NO RESPONSE)

12              MS. MCENROE: I'm glad to a part and I'm glad  
13       to be able to serve the community in this way. I  
14       think it will be learning curve for me, but I think  
15       I'll enjoy it very much.

16              CHAIRMAN: Thank you.

17              At last month's meeting we brought to you the  
18       PI Spec meeting that was going to be held at the Home  
19       Builders office last Wednesday I believe it was. That  
20       was a very good meeting. We worked with the  
21       engineers.

22              One of the things I want to thank everyone  
23       for, we had seven planning commissioners there. That  
24       was very good because the Planning Commission will be  
25       adopting Chapter 14, the aspects.

1           Now, we went through a lot there. The  
2       engineers agreed to take another look at it and see if  
3       we could soften it up a little bit and save time on  
4       the PI Specs when it comes to cut/fill permits.  
5       Cut/fill permits is actually when you're starting a  
6       job. You can't, until you get a cut/fill permit, you  
7       can't cut the grass on the lot. I'm not going to get  
8       into that real deep. Most of you were there. The  
9       ones that could not be there, they had things that  
10      they had to take care of and they also, like  
11      Mr. Taylor, he's involved very heavy in farming.  
12      Mr. Frey has a job, and some the rest of you. I  
13      really really want to thank everyone for being there  
14      from this commission.

15           Mr. Noffsinger chaired it. He moved us  
16      through it real fast. We didn't get tied up a lot.  
17      He told me, he said, you start talking too much I'm  
18      going to sit you down. I think I got to say  
19      everything I wanted to say. We got through it.

20           It was, in my opinion, a good meeting. That's  
21      how you get things done. You bring the players to the  
22      table.

23           Yesterday the engineers agreed to have a  
24      meeting with Gary Noffsinger, and myself, and Dave  
25      Appleby. We worked on that two hours yesterday. We

1       made some progress on that. As far as the cut/fill  
2       process going through the aspects in OMPC, Gary came  
3       up with this idea, and I think it's a great idea,  
4       because actually to get a cut/fill permit now it goes  
5       straight to the engineers. It does not come before  
6       the OMPC. Gary came up with the idea that since  
7       that's the process and we need to take the cut/fill  
8       process out of the OMPC Chapter 14, and that goes  
9       straight to the engineers. So all of that is taken  
10      out. It's not done yet.

11             Gary, you might step in on this.

12             They basically agreed to do it. It's taken  
13      out of the OMPC Chapter 14. That's good and it should  
14      go straight to engineering. The Burden is on the  
15      engineers. They still have not soften up the cut/fill  
16      permit process. They are working on it. We've got  
17      another meeting at the Home Builders office next  
18      Monday at 9:00.

19             MR. NOFFSINGER: Excuse me, Mr. Chairman.  
20      That meeting will be Thursday, December 19th at 2:30  
21      at the Home Builders Association office.

22             CHAIRMAN: It's not the 16th?

23             MR. NOFFSINGER: It's not the 16th. It's the  
24      19th, Thursday 19th at 2:30 at the Home Builders  
25      Association.



1           CHAIRMAN: Is that what you've established,  
2 Brian?

3           MR. HOWARD: Yes.

4           CHAIRMAN: I didn't have that.

5           Again, you're welcome to attend and listen to  
6 what engineers want to present, what they plan to do.  
7 They're in agreement to take the cut/fill process out  
8 of Chapter 14 of the aspects.

9           Gary, if you have something else you'd like to  
10 add to that, then please do.

11          MR. NOFFSINGER: No, sir. Other than to say  
12 that the process is moving forward. I feel good about  
13 where we are. Feel good about next Thursday's  
14 meeting. We'll bring it to the committee. The public  
15 is invited. The media will be notified. Hopefully  
16 move forward with the proposal that will come before  
17 this board in January.

18          CHAIRMAN: Keep in mind the PI Committee will  
19 have to approve it first. Then it will be brought to  
20 the Planning Commission for approval. Chapter 14  
21 we're working on. I feel real good about our meeting  
22 yesterday. I think the engineers was real receptive  
23 on our problem and issues and things. I still don't  
24 know that they are going to be able to do.

25          This is the Federal Clean Water Act that's

1 mandated. It's nationwide. We're not the only ones  
2 that are going to have to do this. Everybody has to  
3 do it. The process can be softened up and shortened.  
4 The only thing, the main thing that we're working on  
5 is the process, to shorten it to where you're not tied  
6 up three, four, five, six months and can't go to work  
7 on your project. That is very, very time consuming.  
8 It is not business friendly. It's up to the  
9 engineers. The burden falls on them. They're the  
10 ones going to have to do it. It's not going to be up  
11 to the OMPC, the aspect committee, it's not going to  
12 be on what we adopt.

13 Gary did a very wise thing by getting them to  
14 take that out and go straight to the engineers and  
15 come out of the OMPC.

16 With that that's basically all I have to say.  
17 I just want to bring you up on what you heard at our  
18 meeting the other day and what we did yesterday.

19 Now, next Thursday you will hear the engineers  
20 side of it and what they plan to do. I would like to  
21 invite every one of you.

22 That's all the comments I had.

23 Comments by the commissioners? Anyone have  
24 any comments or anything you'd like to bring?

25 MR. REEVES: If I could, Mr. Chairman. I want

1 to say how helpful that meeting was last week.  
2 Attending that meeting as a commissioner really helped  
3 to understand what we do beyond some of the things  
4 when we set up at this podium right here. It was  
5 instructional. I'm glad we were encouraged to attend.  
6 I think any time in the future there's similar type of  
7 meetings about any issues, all that can attend should  
8 attend. I know some can't. That's certainly  
9 understandable.

10 Secondly, Mr. Chairman, I'd like the community  
11 to know what you brought to that meeting. Had it not  
12 been for your previous work, it'd been a much longer  
13 meeting, but you brought a lot of information there  
14 and I appreciate that.

15 Mr. Noffsinger, I thought you ran the meeting  
16 in a marvelous fashion. You kept it moving.

17 Also, want to, just for the benefit of the  
18 public on the TV, commend the city and county  
19 engineers for their willingness to listen to the  
20 concerns and their willingness to try to make this  
21 work as best they could for the developers.

22 For all the people around that table, it was  
23 really a model meeting for the community to see the  
24 developers, regulators and city folks and county folks  
25 in the same room working towards a solution and

1     working in a very agreeable and positive fashion. I  
2     think this community is a better community because we  
3     have that kind of attitude in this community.

4             I want to thank you for inviting us, Mr.  
5     Chairman, and Mr. Noffsinger, for your work. Thank  
6     you.

7             MR. NOFFSINGER: Thank you.

8             CHAIRMAN: Anyone else have any comments?

9             MR. KAZLAUSKAS: I said it before and I'll say  
10    it again. It wasn't a contentious meeting. It was an  
11    educational meeting.

12            Just one more thing. Going back to the bylaws  
13    review committee. I would ask those members to review  
14    during your Christmas break before we have our first  
15    meeting in January, please go through and review the  
16    bylaws and that personnel policy. If there is  
17    anything that you would like to address, highlight it  
18    where when we have our first meeting we won't be  
19    fumbling through them, one, two, three, four. That if  
20    there are concerns, we can address them immediately  
21    and hopefully our meeting will last time-wise for  
22    maybe 90 minutes to two hours. Past that I think we  
23    get a little dull. If you would do that for us, we  
24    sure would appreciate it.

25            I want to wish everybody a Merry Christmas and

1 Happy New Year.

2 CHAIRMAN: Thank you, Mr. Kazlauskas. One  
3 reason I appointed you chairman, you were police chief  
4 and you dealt with personnel. I think you had 109  
5 people under you. I think you've got some good  
6 experience too.

7 Anyone else?

8 (NO RESPONSE)

9 CHAIRMAN: If no we have comments by the  
10 director.

11 MR. NOFFSINGER: I just have one thing because  
12 a lot of what I wanted to say has been said. I've  
13 already said it or others have said it.

14 Just remind this board that we have a training  
15 session January 9th at 4:00. It will be in Room 406  
16 here. I encourage you to be here at 4:00. It will be  
17 a very good training session.

18 That's all I have, Mr. Chairman. Thank you.

19 CHAIRMAN: With that I would like to wish  
20 everybody a Merry Christmas and Happy New Year.

21 With that chair needs one more motion for  
22 adjournment.

23 MR. BOSWELL: Motion to adjourn.

24 MR. FREY: Second.

25 CHAIRMAN: We have a motion and a second to

1 adjourn. All in favor raise your right hand.

2 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

3 CHAIRMAN: We are adjourned.

4 -----

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1     STATE OF KENTUCKY )  
                                  )SS: REPORTER'S CERTIFICATE  
2     COUNTY OF DAVIESS )

3             I, LYNNETTE KOLLER FUCHS, Notary Public in and  
4     for the State of Kentucky at Large, do hereby certify  
5     that the foregoing Owensboro Metropolitan Planning  
6     Commission meeting was held at the time and place as  
7     stated in the caption to the foregoing proceedings;  
8     that each person commenting on issues under discussion  
9     were duly sworn before testifying; that the Board  
10    members present were as stated in the caption; that  
11    said proceedings were taken by me in stenotype and  
12    electronically recorded and was thereafter, by me,  
13    accurately and correctly transcribed into the  
14    foregoing 30 typewritten pages; and that no signature  
15    was requested to the foregoing transcript.

16            WITNESS my hand and notary seal on this the  
17    3rd day of January, 2014.

18

19

\_\_\_\_\_  
LYNNETTE KOLLER FUCHS  
NOTARY ID 433397  
OHIO VALLEY REPORTING SERVICES  
202 WEST THIRD STREET, SUITE 12  
OWENSBORO, KENTUCKY 42303

22

23     COMMISSION EXPIRES: DECEMBER 16, 2014

24     COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY

25