

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 MARCH 14, 2019

3 The Owensboro Metropolitan Planning Commission
4 met in regular session at 5:30 p.m. on Thursday, March
5 14, 2019, at City Hall, Commission Chambers,
6 Owensboro, Kentucky, and the proceedings were as
7 follows:

8 MEMBERS PRESENT: Larry Moore, Chairman
9 Lewis Jean, Vice Chairman
10 Mike Edge, Secretary
11 Brian Howard, Director
12 Terra Knight, Attorney
13 Beverly McEnroe
14 Manuel Ball
15 Fred Reeves
16 Angela Hardaway
17 Larry Boswell
18 Jay Velotta

19 * * * * *

20 CHAIRMAN: I would like to call to order the
21 March 2019 Owensboro Metropolitan Planning Commission
22 meeting. We usually start our meetings with a prayer
23 and the pledge. That honor this month goes to
24 Commissioner Larry Boswell.

25 (INVOCATION AND PLEDGE OF ALLEGIANCE.)

 CHAIRMAN: Thank you, Commissioners.

 In order to have a nice smooth meeting, we
have some guidelines we ask you to follow.

 First of all, if you want to speak on any
topic that we have tonight, please come to one of the

1 microphones in the aisle way, state your name and be
2 sworn in.

3 We ask that you direct all your questions to
4 the Chair. In turn, I'll try to find the answers for
5 you through our Staff, Director, Commissioners or
6 whomever. We ask that you stay on topic. Finally and
7 probably the most important, we ask that you be
8 respectful. If anybody happens to speak, everybody is
9 entitled to their opinion. So please be respectful as
10 such.

11 All of the commissioners should have received
12 a copy of their minutes and have had an opportunity to
13 look at those. Are there any changes that need to be
14 made?

15 (NO RESPONSE)

16 CHAIRMAN: Seeing none the Chair is ready for
17 a motion.

18 MS. HARDAWAY: Motion to approve.

19 CHAIRMAN: Motion by Commissioner Hardaway.

20 MS. McENROE: Second.

21 CHAIRMAN: Second by Commissioner McEnroe. We
22 have a motion and a second. All those in favor please
23 indicate by raise your right hand.

24 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

25 CHAIRMAN: Motion carries.

1 We have with us tonight a special guest that
2 will give us a presentation for the Fiscal Year 2018
3 audit by Mr. Jack Summerfield.

4 MR. SUMMERFIELD: Thank you. I am Jack
5 Summerfield with Alexander, Thompson & Arnold, CPA;
6 formerly Myriad CPA Group here in Owensboro.

7 We did do the audit for fiscal year ending
8 June 30, 2018. I believe you all have had copies of
9 this for a while now so I won't go in great detail and
10 I'll try to keep this brief. There are a few things I
11 would like to point out to you though.

12 Our independent auditors report is on Page 8.
13 This explains, the second paragraph explains that the
14 financial statements are the responsibility of
15 management. The third paragraph explains that our
16 responsibility as auditor is to express an opinion on
17 these financial statements, and to conduct our audit
18 in a course of a generally accepted auditing
19 standards, as well as government auditing standards.

20 Then the final paragraph on that page gives
21 our opinion that the financial statements are
22 presented fairly in all material respects. It is a
23 clean opinion. It's the best we are allowed to give
24 you.

25 I want to highlight something on Page 9, at

1 the very top of the page where it says "Change in
2 Accounting Principal." In 2018 you had the implement
3 of a new accounting standard that requires putting the
4 post-employment benefits, other than pensions, on the
5 books. For those of you who were around in 2015, you
6 had to put the pension on the books. So they're
7 already on there and now you've got the other most
8 important, basically the health care benefits on the
9 books as well. That's reflected on Page 10 which is
10 statement of acquisition. About two-thirds of the way
11 down the page it has an unfunded medical
12 post-employment benefits liability of \$523,000, and
13 you'll note that the unfunded pension liability is up
14 to 1.5 million now. So between the two of them it's
15 about a \$2 million liability.

16 That is totally more than enough reason why
17 you have a total net position there on the government
18 statement in that position.

19 Then on Page 11, because we implemented new
20 accounting standard, we had to do accumulative
21 effective change in accounting principal, which is
22 basically what that liability would have been at the
23 end of 2017 had you recognized it at that time.

24 So that reduced your net position by 377,000.
25 Absent that you have a positive change in that

1 position of 158,000.

2 Then the governmental fund financial
3 statements, the balance sheet is on Page 12. You see
4 on there that at the end of the year with 1.3 million
5 in cash and the total fund balance at the bottom of
6 the page is also 1.3 million, a little bit less.

7 On Page 14 is the statement of revenue
8 expenditures and change and fund balance. The fund
9 balance increased by 327,000 compared to 131,000 the
10 prior year. The basic difference there was an
11 increase of about \$100,000 in your fee revenue.
12 Everything else was roughly comparable to the prior
13 year.

14 To get more of a breakdown on the expenditures
15 and all, starting on Pages 34 and 35 are the
16 divisional budgetary comparison, and that gives more
17 detail on your expenditures.

18 I would also note that there was no
19 significant over-expenditures compared to the budget.

20 Then on Page 42 is the report that we're
21 required to compare when we do an audit in the
22 government auditing standards report on Internal
23 Control and Compliance. I'm pleased to report that
24 there is no internal control deficiencies or any
25 noncompliance issues.

1 Overall it was a very clean audit. We
2 definitely appreciate the help that Brian and Shannon
3 provided us. We're very pleased with the outcome.

4 If there's any questions, I'll be happy to try
5 to answer them.

6 CHAIRMAN: Any commissioners have any
7 questions of Mr. Summerfield?

8 (NO RESPONSE)

9 CHAIRMAN: Seeing none, thank you very much.

10 MR. SUMMERFIELD: Thank you all. Appreciate
11 it.

12 MR. HOWARD: Appreciate it. Thank you.

13 CHAIRMAN: Brian, I think you're up.

14 MR. HOWARD: Moving on to zoning changes. I
15 will note the zoning changes heard tonight will become
16 final 21 days after the meeting unless an appeal is
17 filed. If an appeal is filed, we will forward the
18 record of this meeting along with all applicable
19 materials to the appropriate legislative body for them
20 to take final action.

21 -----

22 GENERAL BUSINESS

23 ZONING CHANGES

24 ITEM 4

25 5054 Veach Road, 1.540 acres
Consider zoning change: From R-1A Single-Family

1 Residential and A-U Urban Agriculture to R-1A
Single-Family Residential
2 Applicant: Thomas J. Meyer; Stephen T. Meyer

3 MS. KNIGHT: Please state your name for the
4 record.

5 MR. PEDLEY: Trey Pedley.

6 (TREY PEDLEY SWORN BY ATTORNEY.)

7 PLANNING STAFF RECOMMENDATIONS

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

10 FINDINGS OF FACT

11 1. Staff recommends approval because the
12 proposal is in compliance with the community's adopted
13 Comprehensive Plan;

14 2. The subject property is located in an
15 Urban Residential Plan Area, where single-family
16 residential uses are appropriate in limited locations;

17 3. The proposed use conforms to the criteria
18 for Urban Residential Development;

19 4. The subject property is served by sanitary
20 sewer.

21 MR. PEDLEY: We would like to enter the Staff
22 Report into the record as Exhibit A.

23 CHAIRMAN: Anyone here representing the
24 applicant?

25 MR. MEYER: I am Tom Meyer. Good to see you

1 again. Also here, I guess, as attorney representing
2 Stephen Meyer.

3 My wife and I are the owners of this property
4 that's being added, is about a 1/2 acre to a 1 acre
5 tract that they bought for this development.

6 We're in complete agreement obviously with the
7 recommendations of the Staff for the rezoning. Just
8 pointed out by my friend Bill Weikel, that our
9 property was A-U and the 1 acre tract that had been
10 carved out in 1955 had been zoned R-1 residential. So
11 we're here tonight to just get the 1/2 acre tract
12 that's being added to the back of the property all in
13 the same zoning, R1A.

14 I would note that in the Staff Report that
15 Item Number 4, "The subject property is served by
16 sanitary sewer," we only wish we had sanitary sewer.
17 We use septic tanks out there. Other than that, it
18 works fine. We've lived there since 1990, as Michael
19 knows. They're in the process of building a house
20 there that they hope to have completed in June. So we
21 respectfully request that the zoning request be
22 approved.

23 CHAIRMAN: Thank you.

24 Anyone else have any comments to be made from
25 the audience?

1 (NO RESPONSE)

2 CHAIRMAN: Any commissioners?

3 (NO RESPONSE)

4 CHAIRMAN: Seeing none the Chair is ready for
5 a vote.

6 MR. JEAN: I make a motion to approve based on
7 the Staff Report, the testimony heard here this
8 evening, and the site visit with Findings of Facts 1
9 through 3.

10 CHAIRMAN: Thank you, Commissioner Jean. Is
11 there a second?

12 MR. BALL: Second.

13 CHAIRMAN: Second by Commissioner Ball. We
14 have a motion and a second. Any questions about
15 those?

16 (NO RESPONSE)

17 CHAIRMAN: If not, the Chair is ready for a
18 vote. All those in favor indicate by raising your
19 right hand.

20 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

21 CHAIRMAN: Motion carries. Thank you.

22 MINOR SUBDIVISION PLATS

23 ITEM 5

24 5459 & 6107 Jack Hinton Road, 327.497 acres
Consider approval of a minor subdivision plat
25 Applicant: Lanham Family Farms, LLC

1 MR. HOWARD: This plat comes before you as an
2 exception to the three to one requirement of the
3 Zoning Ordinance. As you can see, this is a really
4 long skinny lot that they're proposing around the
5 acreage there in the back. There's an existing home
6 on it. I believe they're creating this to put the
7 home on one parcel, and then all the farm stuff is
8 being consolidated into a larger parcel, as you can
9 see in the insert there.

10 This is the only frontage that either of these
11 parcels have, the large farm tract and this one.
12 We've put notes on there that none of this can be
13 further subdivided. Still we're creating an
14 acceptably long flag-lot. It's ready for your all's
15 consideration.

16 CHAIRMAN: Any commissioners have any
17 questions?

18 (NO RESPONSE)

19 CHAIRMAN: Chair is ready for a motion.

20 MR. REEVES: Motion to approve.

21 CHAIRMAN: We have a motion to approve. Do we
22 have a second?

23 MR. EDGE: Second.

24 CHAIRMAN: Second by Mr. Edge. We have a
25 motion and a second. All those in favor raise your

1 right hand.

2 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

3 CHAIRMAN: Motion carries.

4 ITEM 6

5 7645, 7652 & 7661 Highway 431, 5.389 acres
6 Consider approval of a minor subdivision plat
Applicant: William David Hayden & Tony Hayden

7 MR. HOWARD: This plat comes before you, this
8 is a situation where there was some existing parcels
9 of the record with some odd frontage and things like
10 that. We had discussions with Bill Weikel who
11 prepared this plat. What is reflected on this plat is
12 actually what is correct based on deeds even though it
13 did meet some of the requirements that the lot is
14 created. It does add frontage to everything that's
15 out there. So we would recommend that you consider it
16 for approval.

17 CHAIRMAN: Commissioners, do we have any
18 questions?

19 Mr. Boswell.

20 MR. BOSWELL: Thank you, Mr. Chairman. Just a
21 couple of clarification questions.

22 The 7645 and the 7661 I could not find those
23 on the GIS system. So I'm assuming they're new
24 numbers or are they existing numbers?

25 MS. KNIGHT: State your name for the record,

1 please.

2 MR. WEIKEL: Bill Weikel.

3 (BILL WEIKEL SWORN BY ATTORNEY.)

4 MR. WEIKEL: You're asking me or the
5 Commission?

6 MR. BOSWELL: Whoever can answer.

7 MR. WEIKEL: The number in the middle is the
8 existing and the one on the north and south are the
9 new.

10 MR. BOSWELL: Thank you.

11 Second part of my question would be the
12 notation about the further subdivision. Makes mention
13 of the fact that it not be further subdivided as to
14 create addition or irregular-shaped lots. Not meeting
15 subdivision regulations. This is probably a question
16 for Mr. Howard.

17 I'm assuming that would also apply or could
18 regularly-shaped lots be subdivided or created?

19 MR. HOWARD: No. These parcels have such
20 limited amounts of road frontage that, one, you're not
21 going to be able to have enough road frontage to meet
22 the three to one requirements to create another
23 parcel. Two, the southernmost parcel is .676 acres;
24 so it doesn't have enough acreage that you could split
25 anything else out of it anyway based on the minimum

1 lot size requirements.

2 Unless a public street with a 50-foot
3 right-of-way, a 31-foot street paved, curb and gutter
4 were to be installed, this property can not be further
5 subdivided.

6 MR. BOSWELL: Thank you, Mr. Howard. That
7 answers my questions.

8 CHAIRMAN: Thank you. Any other questions?

9 (NO RESPONSE)

10 CHAIRMAN: Chair is ready for a motion.

11 Mr. Ball.

12 MR. BALL: I would like to make a motion to
13 approve this minor subdivision plat.

14 CHAIRMAN: We have a motion for approval. Do
15 we have a second?

16 MR. EDGE: Second.

17 CHAIRMAN: Second by Mr. Edge. All those in
18 favor please raise your right hand.

19 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

20 CHAIRMAN: Motion carries.

21 AGRICULTURAL DIVISIONS

22 ITEM 7

23 3001 & 3005 Reid Road, 28.00 acres
24 Consider approval of an agricultural division
Applicant: Gary & Mary J. Warren

25 MR. HOWARD: This plat comes before you as an

1 exception on an added division on minimum road
2 frontage requirements. They only had 50 feet total of
3 road frontage to this 28 acre parcel. They're
4 proposing a division. Both parcels will be over 10
5 acres in size. What they've done is they've split the
6 50 feet of road frontage so that each parcel will have
7 25 feet. Again, kind of like the last situation.
8 This is without -- these parcels won't be able to be
9 further subdivided either without meeting the
10 subdivision regulations. They could go in and put in
11 a public street in this 50 feet that's there, go back
12 and do that kind of thing. That notation is on the
13 plat. It's the one division that can potentially take
14 place on this property, based on the limited amount of
15 frontage that they have. We've talked to the
16 applicant about this. They're aware of that. So we
17 would recommend that you consider it for approval
18 tonight.

19 CHAIRMAN: Any commissioners have any
20 questions?

21 (NO RESPONSE)

22 MS. KNIGHT: Don't forget the audience.

23 CHAIRMAN: Anyone in the audience have any
24 questions or comments?

25 (NO RESPONSE)

1 CHAIRMAN: Any other commissioners have any?

2 (NO RESPONSE)

3 CHAIRMAN: If not, the Chair is ready for a
4 motion.

5 MR. BOSWELL: Motion to approve.

6 CHAIRMAN: We have a motion to approve. Do we
7 have a second?

8 MS. McENROE: Second.

9 CHAIRMAN: Second by Ms. McEnroe. Motion and
10 a second. All those in favor please raise your right
11 hand.

12 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

13 CHAIRMAN: Motion carries.

14 -----

15 NEW BUSINESS

16 ITEM 8

17 Consider approval of January 2019 financial statements

18 CHAIRMAN: Everyone should have received the
19 financial package and have had an opportunity to take
20 a look. Any commissioners have any comments about the
21 financial statement?

22 (NO RESPONSE)

23 CHAIRMAN: Seeing none the Chair is ready for
24 a motion.

25 (NO RESPONSE)

1 MR. REEVES: Motion for approval.

2 CHAIRMAN: We have a motion for approval. Do
3 we have a second?

4 MR. JEAN: Second.

5 CHAIRMAN: Second by Mr. Jean. We have a
6 motion and a second. All those in favor please
7 indicate by raising your right hand.

8 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

9 CHAIRMAN: Motion carries.

10 ITEM 9

11 Comments by the Chairman

12 CHAIRMAN: The Chairman has no comments.

13 ITEM 10

14 Comments by the Planning Commissioners

15 CHAIRMAN: Any comments by the Planning
16 Commission?

17 Mr. Boswell.

18 MR. BOSWELL: Thank you, Mr. Chairman.

19 Just a comment about the financial statement
20 that we just heard from ATA. I think on Page 6 pretty
21 well says the type of job that our Planning Department
22 is doing and the Director and all of the folks are
23 doing. If you take a look at that, it says pretty
24 quickly that they're operating very cost effective in
25 a fiscally response manner and that it remains

1 healthy. I think that's a testament to the good work
2 that Brian Howard and all of the Planning and Zoning
3 Department are doing in such trying times, especially
4 with this pension issue that hangs around their neck.

5 Just want to make a congratulatory comment
6 that I think that says it best, they're doing a great
7 job.

8 CHAIRMAN: Thank you, sir. Is anyone else?

9 (NO RESPONSE)

10 ITEM 11

11 Comments by the Director

12 MR. HOWARD: I don't have any comments.

13 CHAIRMAN: We need the last motion.

14 MR. EDGE: Motion to adjourn.

15 CHAIRMAN: We have a motion to adjourn. Do we
16 have a second?

17 MR. BALL: Second.

18 CHAIRMAN: Second by Mr. Ball. All those in
19 favor raise your right hand.

20 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

21 CHAIRMAN: We are adjourned.

22 -----

23

24

25

