The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, December 13, 2012, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT:  Drew Kirkland, Chairman
Ward Pedley, Vice Chairman
David Appleby, Secretary
Gary Noffsinger, Director
Madison Silvert, Attorney
Margaret Cambron
Tim Allen
Wally Taylor
John Kazlauskas
Fred Reeves

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CHAIRMAN: I would like to welcome you to the Owensboro Metropolitan Planning Commission meeting. Please stand while Margaret Cambron will have our invocation and pledge of allegiance.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: Our first item of business is to consider the minutes of the November 8, 2012 meeting. Are there any additions, corrections?

(NO RESPONSE)

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

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MR. PEDLEY: Motion for approval.

CHAIRMAN: Motion for approval by Mr. Pedley.

MR. REEVES: Second.

CHAIRMAN: Second by Mr. Reeves. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

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ZONING CHANGE

ITEM 2

3259 Alvey Park Drive East, 0.885 acres

Consider zoning change: From B-3 Highway Business Commercial to I-1 Light Industrial

Applicant: William E. Cameron

MR. SILVERT: Would you state your name, please?

MS. EVANS: Melissa Evans.

(MELISSA EVANS SWORN BY ATTORNEY.)

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

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PLANNING STAFF RECOMMENDATIONS

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

FINDINGS OF FACT:

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

2. The subject property is located in a Business Industrial Plan Area where light industrial uses are appropriate in general locations;

3. The proposal conforms to the criteria for nonresidential development; and,

4. The proposal will bring the subject property into compliance with zoning ordinance.

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

CHAIRMAN: Is the applicant here?

(NO RESPONSE)

CHAIRMAN: Have any questions?

(NO RESPONSE)

CHAIRMAN: Questions by the commission?

(NO RESPONSE)

CHAIRMAN: If not the chair is ready for a motion.
MR. APPLEBY: Motion for approval based on Staff Recommendations and Findings of Fact 1 through 4.

CHAIRMAN: Motion for approval by Mr. Appleby.

MR. ALLEN: Second.

CHAIRMAN: Second by Mr. Allen. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 3

4460, 4470, 4540 Springhill Drive, 3.628 +/- acres (Applicant requesting postponement until 12/13/12 meeting)

Consider zoning change: From B-4 General Business and R-1C Single-Family Residential to R-3MF Multi-Family Residential

Applicant: Lake Forest Community, LLC

MR. PEDLEY: Mr. Chairman, I need to disqualify myself on Items 3 and 4.

(MR. PEDLEY LEAVES ROOM AT THIS TIME.)

MR. APPLEBY: Do we need a motion to postpone?

CHAIRMAN: Yes.

MR. APPLEBY: Move to postpone.

MS. EVANS: Excuse me. That said to postpone until the December 13th meeting.

CHAIRMAN: Oh, December 13th.

MS. EVANS: It was postponed last month.

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CHAIRMAN: Let the record show that Mr. Pedley removed himself. Thank you.

PLANNING STAFF RECOMMENDATIONS

The Planning Staff recommends approval subject to the Condition and Findings of Fact that follow:

CONDITION

Approval of a final development plan for the subject property.

FINDINGS OF FACT

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

2. The subject property is partially located in an Urban Residential Plan Area where urban mid-density residential uses are appropriate in limited locations and partially located in a Business Plan Area where urban mid-density residential uses are appropriate in limited locations;

3. The proposed multi-family residential use is consistent with the criteria for urban residential development;

4. Sanitary sewer service is currently available to the subject property;

5. The proposal is a logical expansion of existing R-3MF zoning to the northwest; and,

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6. The proposal will serve as a buffer between the established residential subdivisions and the commercial property on the northeast side of Springhill Drive.

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

CHAIRMAN: Is there somebody here for the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Does anybody in the audience have a question of the applicant?

(NO RESPONSE)

CHAIRMAN: Does anybody on the commission have a question of the applicant?

(NO RESPONSE)

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

MR. APPLEBY: Motion for approval based on the Staff Recommendations with the single Condition and Findings of Fact 1 through 6.

CHAIRMAN: Motion for approval by Mr. Appleby with the one condition.

MR. KAZLAUSKAS: Second.

CHAIRMAN: Second by Mr. Kazlauskas. All in favor raise your right hand.

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(ALL BOARD MEMBERS PRESENT – WITH THE DISQUALIFICATION OF WARD PEDLEY – RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 4

4560 Springhill Drive, 0.685 +/- acres

Consider zoning change: From B-4 General Business to R-3MF Multi-Family Residential

Applicant: Lake Forest Community, LLC

PLANNING STAFF RECOMMENDATIONS

The Planning Staff recommends approval subject to the condition and findings of fact that follow:

CONDITION

Approval of a final development plan for the subject property.

FINDINGS OF FACT

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

2. The subject property is located in a Business Plan Area where urban mid-density residential uses are appropriate in limited locations;

3. The proposed multi-family residential use is consistent with the criteria for urban residential development;

4. Sanitary sewer service is currently

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available to the subject property;

5. The subject property is located near major streets with indirect access to Highway 54 via Springhill Drive, Springview Drive and Lake Forest Drive, and,

6. The proposal will serve as a buffer between the established residential subdivisions and the commercial property on the northeast side of Springhill Drive.

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

CHAIRMAN: We have somebody here for the applicant. Do we have any questions of the applicant from the audience?

(NO RESPONSE)

CHAIRMAN: Have any questions from the commission?

(NO RESPONSE)

MR. SILVERT: Mr. Chairman, we need the record to reflect that Mr. Pedley is still recused on this item as well.

CHAIRMAN: Thank you, Mr. Silvert.

If there are no questions from the commission or from the audience, chair is ready for a motion.

MR. ALLEN: Motion for approval subject to the
Planning Staff Recommendations, the Condition that the approval of a final development plan for the subject property be done, and Findings of Fact 1 through 6.

CHAIRMAN: We've got a motion for approval with the condition by Mr. Allen.

MRS. CAMBRON: Second.

CHAIRMAN: Mrs. Cambron has a second. All in favor raise your right hand.

(AALL BOARD MEMBERS PRESENT - WITH THE DISQUALIFICATION OF WARD PEDLEY - RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Thank you.

(WARD PEDLEY REJOINS MEETING AT THIS TIME.)

ITEM 5

3750 Ralph Avenue, 17.297 acres (applicant requesting postponement until 1/10/13)

Consider zoning change: From A-U Urban Agriculture to R-3MF Multi-Family Residential

Applicant: Chandler Property Management, Invision, LLC

MR. NOFFSINGER: Mr. Chairman, the applicant has requested this item be postponed until the January 10, 2013 meeting. You would need to take a vote on that to postpone.

CHAIRMAN: Let the record show Mr. Pedley has joined us.

Are there any questions from the audience?
(NO RESPONSE)

CHAIRMAN: From the commission?
(NO RESPONSE)

CHAIRMAN: If not the chair is ready for a recommendation.

MR. APPLEBY: Move to postpone until the January meeting.

CHAIRMAN: A motion for postponement by Mr. Appleby.

MR. REEVES: Second.

CHAIRMAN: We've got a second by Mr. Reeves.

All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item.

Related Item:

ITEM 5A
Chandler Park Apartments, 17.10 acres (applicant requesting postponement until 1/10/13)
Consider approval of a preliminary development plan.
Applicant: Chandler Property Management

MR. NOFFSINGER: Mr. Chairman, this too will need a vote to postpone until the January 10th meeting.

CHAIRMAN: Are there any questions?
(NO RESPONSE)

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

MR. PEDLEY: Motion to postpone.

CHAIRMAN: Motion to postpone by Mr. Pedley.

MR. KAZLAUSKAS: Second.

CHAIRMAN: Second by Mr. Kazlauskas. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 6

9024 Short Station Road, 3.633 acres
Consider zoning change: From A-R Rural Agriculture and EX-1 Coal Mining to A-R Rural Agriculture
Applicant: Ralph Scott, Donna Scott

PLANNING STAFF RECOMMENDATIONS
The Planning Staff recommends approval subject to the findings of fact that follow:

FINDINGS OF FACT

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

2. The subject property is located in a Rural Maintenance Plan Area, where rural large-lot residential uses are appropriate in limited locations;

3. The subject property has access to Short Ohio Valley Reporting

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Station Road with no new roads proposed;
4. Strip-mining activity has not and will not take place on the subject property; and,
5. The Owensboro Metropolitan Zoning Ordinance Article 12a.31 requires that property shall revert to its original zoning classification after mining.

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

CHAIRMAN: Do we have somebody here for the applicant?
(NO RESPONSE)

CHAIRMAN: Do we have any questions from the audience?
(NO RESPONSE)

CHAIRMAN: Any questions from the commission?
(NO RESPONSE)

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

MR. APPLEBY: Motion for approval based on Findings of Fact 1 through 5.

CHAIRMAN: Motion for approval with findings of fact by Mr. Appleby.

MR. TAYLOR: Second.

CHAIRMAN: Second by Mr. Taylor. All in favor
raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously. Next item, please.

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DEVELOPMENT PLAN

ITEM 7

322, 324, 326 Clay Street, 400 East Fourth Street,
0.24 +/- acres

Consider approval of final development plan

Applicant: Victory Properties, LLC, Friends of Sinners

MR. NOFFSINGER: Mr. Chairman, this plan has been reviewed by the Planning Staff and Engineering Staff. It's found to be in order. It comes to you because the church for all is designating a number, a certain number of their parking spaces to be used for the Friends of Sinners Transitional Living facility. Because that facility cannot meet their on-site parking requirements on their site, they can find their parking on adjoining property within a certain distance. I believe in this case for residential it's within 300 feet. So this property's parking spaces are within that distance to the use and are being designated on this development plan specifically for the use of the transitional living facility. We would recommend this development plan be approved.

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CHAIRMAN: Do we have anybody here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Are there any questions of the applicant from the audience?

(NO RESPONSE)

CHAIRMAN: From the commission?

(NO RESPONSE)

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

MR. REEVES: Move for approval.

CHAIRMAN: Motion for approval by Mr. Reeves.

MR. TAYLOR: Second.

CHAIRMAN: Second by Mr. Taylor. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

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MINOR SUBDIVISIONS

ITEM 8

6131, 6135 Masonville-Habit Road, 2.433 acres

Consider approval of minor subdivision plat.

Applicant: Frank & Nancy Yaun; Earl D. & Virginia P. Williams

MR. NOFFSINGER: Mr. Chairman, this plat has

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been reviewed by the Planning Staff and Engineering Staff. It's found to be in order.

This takes an existing lot of record and makes it more conforming in terms of its size to expand an area, and then it also creates a lot around an existing residence that's nonconforming in that it does not meet the 3 to 1 ratio for depth to width. It has, I believe, the lot being created has about 50 feet of frontage as best I can tell. Typically we would have more road frontage than that. However, that's all of the road frontage that this larger farm has on that side of the existing lot and it is creating a traditional-shaped lot in the rear for an existing home. So the Planning Staff because of what I've just stated here, Planning Staff would recommend that you grant this plat approval.

CHAIRMAN: Is there anybody here for the applicant?

(NO RESPONSE)

CHAIRMAN: Does anybody in the audience have a question?

(NO RESPONSE)

CHAIRMAN: Does anybody on the commission have a question?

(NO RESPONSE)

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

MR. APPLEBY: Motion for approval.

CHAIRMAN: Motion for approval by Mr. Appleby.

MR. TAYLOR: Second.

CHAIRMAN: Second by Mr. Taylor. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 9

5115 Highway 56, 2.108 acres
Consider approval of minor subdivision plat

Applicant: K-Win Generations, LLC

MR. NOFFSINGER: Mr. Chairman, this plat has been reviewed by the Planning Staff and Engineering Staff. It's found to be in order.

This creates a lot around an existing home that's located on a large farm that does not have road frontage; however, there is an access easement to the existing farm and they have noted that easement on this plat to serve as access to the newly created lot around the home as well as the remaining tract.

They've also stipulated there would be no further building development or divisions on this property unless the minimum standards of the subdivision

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regulations are met.

So with that we would recommend it for approval given that it's for an existing home on a large farm.

CHAIRMAN: Do we have anybody here for the applicant?

(NO RESPONSE)

CHAIRMAN: Does anybody in the audience have a question?

(NO RESPONSE)

CHAIRMAN: Does anybody on the commission have a question?

(NO RESPONSE)

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

MRS. CAMBRON: Make a motion to approve.

CHAIRMAN: We have a motion for approval by Mrs. Cambron.

MR. KAZLAUSKAS: Second.

CHAIRMAN: Second by Mr. Kazlauskas. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Mr. Noffsinger.

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NEW BUSINESS

ITEM 10
Consider approval of the October 2012 financial statements.

CHAIRMAN: Are there any questions?
(NO RESPONSE)
CHAIRMAN: Any questions from the commission?
(NO RESPONSE)
CHAIRMAN: If not the chair is ready for a motion.

MR. PEDLEY: Motion to approve the financial statement.

CHAIRMAN: We've got a motion for approval by Mr. Pedley.

MR. APPLEBY: Second.

CHAIRMAN: We've got a second by Mr. Appleby.

All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 11
Consider extension of the OMPC office lease.

MR. NOFFSINGER: Mr. Chairman, last month the Planning Commission authorized the director, as well as the chair, to sign an extension to our office lease.
in the Center of Commerce.

Since that time a lease extension has not been signed. We have been in discussion with our landlord, which is the Malcolm-Bryant Corporation, and they have extended us three additional offers on top of what we had before.

One is a 15-year lease, the other is a 10-year lease, and a 5-year lease.

Each member has been mailed a copy of what the leases are. They're certainly better than the one that was approved and recommended by the commission last month. The Planning Staff would recommend that we enter into a 15-year lease with the landlord, but it's up for your consideration and discussion.

CHAIRMAN: Are there any questions from the audience?

(NO RESPONSE)

CHAIRMAN: Does anybody on the commission have questions or comments?

MRS. CAMBRON: I have a question. The 15-year locks in our lease. Are there any penalties if for some reason we want to break that lease? I mean 15-years, when I think about the development of downtown and the opportunities, is there any type of penalty if we lock it in for 15?
MR. NOFFSINGER: There is a penalty and that would be we would be responsible for the entire 15 years of that lease.

MRS. CAMBRON: But if we sign a lease for 10, then the end of 10 we have the option to renew for another 5 at the same lease?

MR. NOFFSINGER: No. The rate does go up. The longer we renew this lease the better the rate would be. That would be the advantage of the 15 year over the 10 year. The disadvantage on the 15 year obviously is we're going to be there for 15 years or we're liable for the 15 year.

MR. ALLEN: Gary, just to be clear though. I don't think there is an advantage to 10 versus 15. I think it's the same rate.

MR. NOFFSINGER: In the 10-year rate, we can extend for another 5 years, but it goes up at the cost of the CPI, 3 percent. So the rate is the same for the 10 years.

MR. ALLEN: But the extra five year, sure.

MR. NOFFSINGER: That's what I meant to say.

CHAIRMAN: Do you have any further questions, Mrs. Cambron?

MRS. CAMBRON: No.

CHAIRMAN: Are there any other questions from Ohio Valley Reporting

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anybody else on the commission, any other comments?

(NO RESPONSE)

CHAIRMAN: Mr. Noffsinger, I think you've done a good job with the lease. I personally think with the development of downtown, the direction in which downtown is going, I personally like the 15 year lease, but I think everybody has to weigh in on what the commission thinks.

Anybody else have any other comments?

MR. APPLEBY: I tend to agree with Drew. I don't feel like that rates are going to get any cheaper downtown. I kind of like the idea of locking it in 15 years at this rate. That's my gut feeling.

CHAIRMAN: Mr. Allen.

MR. ALLEN: I agree.

Number one, the rate itself we're looking at right now is cheap relative to the current rental environment downtown.

Number two, I think everybody or at least the expectation I have is that this body will still be located down here 10, 15 years in the future because it just makes sense. If you're locking in kind of a below market rate for an extended period in an area that's improving, and all probability will have much higher rates down the road, it would seem to be more
prudent to lock in a longer term rate.

CHAIRMAN: Mr. Pedley.

MR. PEDLEY: I certainly agree with OMPC Staff here.

Mr. Noffsinger, that 15-year lease without an increase is no doubt the best deal. When you go to other route, you know, based on consumer price index, things like that, we don't know where it's going to. This locks it in for 15 years. I kind of agree with the 15 year period.

CHAIRMAN: Mr. Taylor.

MR. TAYLOR: I agree with the 15 year. I believe if something came up and the office Staff wasn't where they are in 15 years, it will probably be because somebody bigger and better came along and paid the rent for them.

CHAIRMAN: Mr. Kazlauskas.

MR. KAZLAUSKAS: I think where it's located and time span certainly will meet our needs to the future.

I have one question about the lease improvements. You know, it talks about new carpet, painting and miscellaneous cosmetic improvements. Is that one time during that 15 years?

MR. NOFFSINGER: Yes, sir.

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MR. KAZLAUSKAS: What kind of shape do you think it's in right now?

MR. NOFFSINGER: It needs improvements. We've been there for six years and those improvements, we did not make any improvements other than I think we put down some carpet in the main lobby area, if you will, the common area, but that's about it. We did not paint or anything. Currently in the lease there are no improvements.

MR. SILVERT: Mr. Kazlauskas, I can tell you that there are other tenants in that same building that have made improvements on their own dime. This would be something to my knowledge that's extended to a tenant in this building that has not otherwise been extended.

CHAIRMAN: Previously, in the previous lease the responsibility was ours and it's been shifted.

MR. KAZLAUSKAS: Very good.

CHAIRMAN: Mr. Reeves.

MR. REEVES: I agree with everyone else. The fact that there's a bank there I think makes it a very stable building. I think it will continue to be a bank there. I think the quality of the landlord is important and Mr. Bryant is certainly a good landlord over there.
CHAIRMAN: Does anybody have any problem with it being right across from First Baptist? What do you think the long-term situation is going to be there?

MR. REEVES: That's hard to say. They could go out of business any day.

CHAIRMAN: If there are no further comments or questions from anybody, the chair is ready for a motion.

MR. REEVES: I make a motion to approve the lease as specified in the document we have.

CHAIRMAN: We have a motion by Mr. Reeves to accept the lease, the 15-year lease, Mr. Reeves.

MR. REEVES: Fifteen year lease, yes.

CHAIRMAN: Fifteen year lease. Do we have a second?

MRS. CAMBRON: Second.

CHAIRMAN: Second by Mrs. Cambron. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

ITEM 12

Consider entering into contract with OMU for fiber optic service.

MR. NOFFSINGER: Mr. Chairman, at this point in time the Staff is not prepared to make a
recommendation. We continue to have fiber optic
service to the office. We feel that we need to table
this for at least another month to take a look at our
opportunities before we go into a long-term contract.
So I would recommend that no action be taken and we
move on to Item 13.

CHAIRMAN: Are there any questions?
(NO RESPONSE)

CHAIRMAN: If there are no question, we'll
just move right on to Item 13 since no action will be
taken.

ITEM 13
Enter into closed session to discuss personnel per
KRS 61.810(1)(f)

MR. NOFFSINGER: Mr. Chairman, we need to stay
out here. Manuel Ball, our chief building inspector
and associate director for the building, electrical
and HVAC, will give a presentation on the need to add
an additional staff member to the building department.
He's going to hand you a handout. At the end of his
presentation he'll entertain and I'll entertain any
questions you may have. Then we will certainly be
asking that you authorize us to move forward in terms
of advertising for the position and to come forward
with a budget amendment in January for this board so
MR. SILVERT: State your name, please.

MR. BALL: Manuel Ball.

(MANUEL BALL SWORN BY ATTORNEY.)

MR. BALL: The Owensboro Metropolitan Planning Commission (OMPC) has completed a review of the current staff in an effort to prepare for growth and expected attrition over the next five years. Currently the OMPC has three full-time Certified Building, Electrical, and HVAC field inspectors.

Background:

Currently, the OMPC Building Department is comprised of the following employees:

- John Pickrell, Chief Electrical Inspector, 16 years of experience with the OMPC. John is eligible for retirement in 2017.
- Alan King, Certified Building, Electrical, and HVAC Inspector, 23 years of experience with the OMPC. Alan is currently eligible for retirement.
- Dennis Thurman, Certified Building, Electrical, and HVAC Inspector, 8 years of experience with the OMPC. Dennis is eligible for retirement in 2015.
- Matt Warren, Plan Reviewer/Certified Building, Electrical, and HVAC Inspector/office staff,
5 years of experience with the OMPC. To my knowledge he's nowhere near retirement at this point in time.

The OMPC has completed 3,500 inspections this year. This number is on track to exceed the last two fiscal years of 6,202 and 6,249. In this time, actually in 2011 we actually added the HVAC to our inspections. We did not add another inspector at that time.

Currently Daviess County is experiencing record construction projects in the city and county which require the OMPC staff to complete additional inspections.

Currently it's set up that Matt Warren spends most of his days in the office aiding customers with building and zoning questions. He also devotes time to building and zoning enforcement and inspections when needed. We'd really like to have Matt in the office to try to keep our customers happy and answer any questions that they have. It's amazing how many people just come in to ask a question about the zoning or building or need help actually filling out the application for a building permit.

Currently John Pickrell is dedicated to the Owensboro Medical Health System, the new project there, and the medical office building. He spends

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approximately 4.5 hours of his day at the hospital and
the remaining time, the remaining 3 hours he spends in
the office answering electrical questions as the chief
electrical inspector.

In addition to the hospital, Owensboro is
currently, because they have many more large projects.
We're seeing a lot of things here right now that are
unprecedented here in Owensboro. We have the new
hospital, we have the Convention Center, the new
Hampton Inn, and Texas Gas. There's talk of another
large hotel in the downtown area. It really takes a
lot of the time. Currently I believe even without
that we have an extremely lean staff.

The OMPC works diligently to complete timely
inspections and plan reviews as well as staffing the
office to insure appropriate personnel is available to
answer building and zoning questions for the public.

I have done some research and Daviess County
actually has something that to my knowledge no one
else in the State of Kentucky has. We have
cross-trained inspectors who actually look at
building, electric and HVAC. So instead of having
three separate inspectors for each one of those, we're
able to do it all with one inspector, which obviously
keeps down on our vehicles and other items like that.

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To compare us to another city I looked at Bowling Green. Bowling Green and Warren County, their population is 113,792, which is comparable to ours. It's about 16,000 larger than what we are. Currently they have seven inspectors to do what we have three full-time and basically one part-time. We pull Matt in and out of the office.

In addition to that, they have seven to do building and electric only. The state actually comes in to do the HVAC. So we actually have three full-time to do what Bowling Green does with seven.

What I would like to recommend for you all tonight is that we actually hire a new building, electrical and HVAC inspector. I think it's going to be difficult to find someone who has the experience that is actually trained to do so. We would look for someone who actually has their electrical certification already. The electrical certification takes five years of experience working under a master to achieve. So we really have to look in that direction in order to find someone who has the electrical. Then if they do not have it, we would train them on the building and the HVAC.

So my recommendation from the OMPC Staff tonight is that we hire a new inspector.

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CHAIRMAN: Mr. Ball, with doing that will that be a requirement of the job? Obviously you will want to hire an electrical inspector so he's ready to go almost immediately.

MR. BALL: That's correct.

CHAIRMAN: Now, will it be a requirement of the job that he complete these other tasks also, other certifications?

MR. BALL: I believe the structure of Daviess County apparently of OMPC, I believe it allows us to keep our staff much leaner than any other communities. So, yes, that would be a requirement.

CHAIRMAN: And with each new certification he gets he also gets an increase in his pay rate also, doesn't he?

MR. BALL: I think currently what we're looking for is someone who has that experience. We would have to look at what we currently have set, but I believe that is with the building and HVAC also is what we're looking at.

CHAIRMAN: So that would be required that he get that within a certain period of time?

MR. BALL: Correct. He may actually start at a lower amount and get to the --

CHAIRMAN: There will be financial incentives.
MR. APPLEBY: To budget that amount.

MR. BALL: To the budget amount. Thank you, David. That's correct.

Also, if you look on the back there, there's a survey which is just a survey we received here in recent past. It basically talks about the need and the workload and the schedule here at OMPC.

I think in order to take care of our customers, we're very fortunate here in Daviess County. If you call within maybe a two or three day time frame, we're able to get to you very quickly. Our plan reviews are extremely fast also. We turn around a plan review in about a week and a half, possibly less. So we really would like to keep that up to take care of our customers properly.

CHAIRMAN: Mr. Pedley, I know you're closely involved with that. What's your overview on this?

MR. PEDLEY: Well, as a builder and also a developer, I realize how important it is for timely inspections. Sometimes you get pushed back a little bit or forward.

I had two final inspections today. To show you how important it is, I had two final inspections on two homes. To close my loan with these people so they could move, I had to have CEO to try to get these
people moved in Saturday. It's very, very important.
You can see just a one or two or three day delay is
kind of sometimes devastating to a builder, and
especially the homeowner. The homeowner doesn't
understand why the delay happens.

    Same way with putting in footers. It's very,
very important on footers on account of bad weather to
get a footer dug. We can't wait two or three days for
an inspection. If you do, you're going to get it full
of water and mud. You take the steel out and you
start all over. So the footer inspection is very
important.

    Also the next thing that comes up in
inspections is the rough-in inspection. You get a
building framed, there's nothing else you can do until
the inspector gets there and gives you approval to
cover. If you fail to get that within two or three
days, then what you've got to start doing is working
with your subcontractors and moving them. So you
might loose your place with a subcontractor for as
much as ten days. So timely inspections is very, very
important.

    We have had it good here in Owensboro/Daviess
County. It's been excellent. Very, very seldom that
we have to wait more than one day, two days at the

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max. I've worked in Henderson. I've worked in Madisonville, several other cities, and we're very fortunate to have it. Our inspectors are very efficient. The building codes is very efficient. It's very well run. I watch the inspectors. They lose very little time. They drive these small pickup trucks very economical. The inspectors are overworked many times. Many times I've had an inspector on my job at 3 and 4 in the afternoon. I say, well, is this your last stop? He said, no. I've got two or three more. They are overworked. Especially since we've had the hospital issue and all the downtown done.

We've got a growth coming, but more than anything else you've got to prepare somebody to take these people that will be retiring. Very, very important to have someone prepared.

CHAIRMAN: Mr. Pedley, obviously you are in favor of the proposal?

MR. PEDLEY: Absolutely. No doubt I'm in favor of the proposal to hire an inspector to get him trained, get him up to where he can do the job. We are going to have growth. We're going to need another inspector. We are going to have retirement. So absolutely. I am in favor of hiring an inspector.

CHAIRMAN: Let me see if there's any questions.
from the audience.

Anybody else on the commission have a question or a statement?

MR. KAZLAUSKAS: Just a couple of things.

You mentioned Warren County has the state come in and do their HVAC.

MR. BALL: Yes, sir. We actually here in Daviess County we have an expanded jurisdiction which has allowed us to take over commercial projects from the state. In addition to that, there are a lot of counties that still require the state to come in and do their HVAC inspections. We have entered an agreement with the State to where we actually do those here in-house which is much better for our customers.

MR. KAZLAUSKAS: Does the state charge the same fee that we do?

MR. BALL: Yes, I believe so. I believe we are on the same fee schedule as the state.

MR. KAZLAUSKAS: What's our turn around time as far as our inspections versus the state inspections over in Warren County? Do you have that?

MR. BALL: I do not have that information. I apologize.

MR. KAZLAUSKAS: I would think that ours would be faster, wouldn't it?
CHAIRMAN: I'm sure it is.

MR. BALL: I feel confident. If you're looking at the state, the state would normally have one inspector.

As far as HVAC go, they would have one inspector for a large area whereas we actually incorporate that into our electrical and our building. For instance, in the event that you have a rough-in inspection in Bowling Green, before you could actually cover the walls with the dry wall on a residential structure, you would come in and you would have one electrical inspection. You would have one for the building, and then you would have to wait on the state to come in and do the HVAC inspection before you could cover up the dry wall.

I don't know what their time frame is, Mr. Kazlauskas, but I feel confident just the fact that it takes three inspectors instead of one, I feel confident that their time frame is more than ours.

MR. KAZLAUSKAS: It makes sense that ours would be faster than waiting and relying on the state inspector to come in.

The other question is for Mr. Noffsinger. This is recurring cost with salary and benefits?
MR. NOFFSINGER: Yes, sir.

MR. KAZLAUSKAS: I guess that person would start out at Step 1, Grade 1 or whatever the grades are?

MR. NOFFSINGER: That's correct. We have salary chart for all positions. It would be based upon whatever is in the salary chart. You're looking at a range with benefits that's probably going to add 40 to $60,000 to the budget by the time you fill that one position.

MR. KAZLAUSKAS: 60,000 tops you think?

MR. NOFFSINGER: Yes. I'm looking at that's a range of salary, retirement, health insurance. That's unemployment insurance. That's about what it takes to fill a position because this is a position that's highly skilled, highly technical. Each member has been mailed a copy of the proposed ad and job qualifications. It will take someone with, as Manuel said, five years of electrical experience and they must be a certified electrical inspector. So we'll be looking throughout the state in our advertising and trying to find someone. It is a highly skilled position and these folks are not that easy to find.

MR. KAZLAUSKAS: This will take a budget amendment?
MR. NOFFSINGER: Yes. What we would like to happen tonight will be for the Planning Commission to vote to authorize the Staff to advertise for the position and move forward with filling that position and authorize the Staff to come forward with a budget amendment to fund that position at our meeting in January. Then immediately if we have a person that's qualified, Staff feels comfortable with, we would move forward with hiring that person after the budget amendment is approved. If the budget amendment is not approved, then we've met some nice folks, but then we wouldn't be able to move forward.

MR. KAZLAUSKAS: I feel comfortable in moving forward with this proposal.

CHAIRMAN: Mr. Pedley, would you like to make that motion?

MR. PEDLEY: I have one other statement to make.

The building code department, planning zoning itself is sufficient. Their salaries and expenses come from the due permits, the permits, electrical buildings, whatever, from the builders, contractors, electricians, so on. It is basically not funded by the two governments.

Mr. Noffsinger, correct me if I'm wrong on Ohio Valley Reporting

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They're very, very efficient. So if there's any complaints from anyone, it should be from the builders and contractors and so on. I haven't heard any. We haven't had a raise in our rates or permits in several years. As the Home Builders Association and home builders and the contractors and so on, we're very pleased with what we have. Again, I've been in Henderson, Madisonville and other places and I can tell you we have it very, very good here.

Yes, I'm ready whenever you are, Mr. Chairman.

MR. NOFFSINGER: Mr. Chairman, if I may say. Mr. Pedley is absolutely right. The building department is funded strictly by permit fees. So if you come in for a building permit, electrical permit or an HVAC permit, you fund that operation. That operation is not funded by the city and county government. Because you're a tax payer in this community, that doesn't mean you're funding that department. If you're building in this community, getting a permit, which if you're a building something you should, then you're funding for this position.

It's not a situation where we're just trying to raise rates to fund the position. This position is funded through the operations of that department.
that's funded through permits. We have not raised costs or rates since 1984. The rates have been maintained at the same rate. What has changed is the cost of projects. So we've been able to continue the program forward without raising the rates because the cost of development has gone up. Our revenue stream does go up as costs go up. We have not raised the rates since 1984 and it's been a very efficient program with the cross-training of our inspectors, which we've been doing for years and that was started under Roger Anderson's term here. He saw the need to cross-train inspectors and really put this program in a position to continue to grow and flourish and represent this community well for many, many years.

CHAIRMAN: Thank you.

Mr. Pedley, make a motion.

MR. PEDLEY: I make a motion that we hire an additional certified inspector.

CHAIRMAN: We've got a motion to hire a new inspector by Mr. Pedley.

MR. APPLEBY: Second.

CHAIRMAN: We've got a second by Mr. Appleby.

All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.
I believe the chair is ready for one last motion.

MR. ALLEN:  Move to adjourn.

CHAIRMAN:  Motion for adjournment by Mr. Allen.

MRS. CAMBRON:  Second.

CHAIRMAN:  Mrs. Cambron has a second.  All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN:  We are adjourned.

Merry Christmas.

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)SS: REPORTER'S CERTIFICATE

COUNTY OF DAVIESS )

I, LYNNETTE KOLLER FUCHS, Notary Public in and for the State of Kentucky at Large, do hereby certify that the foregoing Owensboro Metropolitan Planning Commission meeting was held at the time and place as stated in the caption to the foregoing proceedings; that each person commenting on issues under discussion were duly sworn before testifying; that the Board members present were as stated in the caption; that said proceedings were taken by me in stenotype and electronically recorded and was thereafter, by me, accurately and correctly transcribed into the foregoing 40 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the 2nd day of January, 2013.

LYNNETTE KOLLER FUCHS
NOTARY ID 433397
OHIO VALLEY REPORTING SERVICES
202 WEST THIRD STREET, SUITE 12
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COMMISSION EXPIRES: DECEMBER 16, 2014
COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY

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