The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, March 13, 2014, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: Ward Pedley, Chairman
Fred Reeves, Vice Chairman
David Appleby, Secretary
Gary Noffsinger, Director
Terra Knight, Attorney
Steve Frey
Wally Taylor
John Kazlauskas
Larry Boswell
Beverly McEnroe
Irvin Rogers
Larry Moore

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CHAIRMAN: Call the Owensboro Metropolitan Planning Commission March 13, 2014 meeting to order. We will begin our meeting with a prayer and pledge of allegiance to the flag. Mr. Appleby will lead us. Would you stand, please.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: I would like to welcome everyone. Anyone that would like to speak on any item, we welcome your comments and questions. We ask that you come to one of the podiums and state your name and be...
sworn in. Please speak into the microphone. We have people at home that likes to watch these meetings. Commissioners, you too. If you would, speak into your microphone.

With that the first item on the agenda is consider the minutes of the February 13, 2014 meeting and the February 20, 2014 work session. We will take these separately in case there are any additions or corrections or comments.

First will be the minutes of the February 13 commission meeting. Are there any additions or corrections?

(NO RESPONSE)

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

MR. APPLEBY: Motion to approve.

CHAIRMAN: We have a motion for approval by Mr. Appleby.

MR. FREY: Second.

CHAIRMAN: We have a second by Mr. Frey. All in favor of the motion raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous. The minutes are approved.

Now to the February 20, 2014 work session.
Are there any additions or corrections on that?

  (NO RESPONSE)

CHAIRMAN: If not the chair is ready for a

motion.

MR. APPLEBY: Move to approve.

CHAIRMAN: We have a motion to approve by Mr.

Appleby.

MR. BOSWELL: Second.

CHAIRMAN: Second by Mr. Boswell. All in

favor of the motion raise your right hand.

  (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous.

Next item.

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PUBLIC HEARING

ITEM 2

Consider adoption of text amendments to Chapters 8 and
Chapter 13 of the Owensboro Metropolitan Zoning
Ordinance.

MS. KNIGHT: State your name.

MR. HOWARD: Brian Howard.

(BRIAN HOWARD SWORN BY ATTORNEY.)

MR. HOWARD: There are two portions of the
text amendment. One deals with Article 8 and the
other is Article 13.

These come to you tonight at the request of
Daviess County Fiscal Court. We received a letter from Judge Mattingly asking that we look at the potential of allowing both large contract equipment and large farm dealers to be potentially conditionally use permitted in agricultural zones. So the Staff undertook that process. We looked at the zoning ordinance and what is allowed now. We came up with a recommendation that you have on the Staff Report in regards to the potential. I'll deal with the large farm equipment and contractor equipment first.

The second is Article 13 and that deals with the full requirements of landscape buffer.

Article 8, what we did we looked where those are permitted now. Currently both large farm equipment and contractor equipment are only permitted in B-5, I-1 and I-2 zones.

Part of what the county asked us to look at is if they could be conditionally permitted in agricultural zones. I think because these types of uses often are, they serve the agricultural community. Farms need pieces of equipment. They're close to where they would be using them. They also have huge contractor type equipment.

The end result was that we feel that there are good and bad aspects of it. The good aspects are that
if these are conditionally permitted in an
agricultural zone, that allows the Board of
Adjustments to have a public hearing, which all of the
adjoining property owners would be notified. It
allows them to have a public hearing where there would
be public input. It allows them some negotiation
capabilities that Planning Commission doesn't have.

As we discussed last month, on a case that
would fall under this category, the Planning
Commission is limited as far as what you can negotiate
on. You can't approve a rezoning say to I-1 with a
specific use in mind with conditions that apply only
to that use and that zone. So the conditional use
permit would allow the Board of Adjustments to
negotiate some of those items.

It also allows not only the flexibility there,
but it also allows that one use to go in and it
doesn't allow for future expansions of that zoning.

Say a property was zoned I-1 Light Industrial,
in the future because that I-1 zoning has been
establish that would allow further zoning of I-1 in
the vicinity. There's specific language in the
proposed ordinance exchanges that says that the
conditional use permit of one of those uses in an
agricultural zone does not set a precedence, does not
set a criteria for that to be considered a logical expansion of industrial zoning at some point in the future.

So that's the key point there.

So the Board of Adjustment can negotiate this as far as lighting, and noise, and dust control, and hours of operation, that type of thing.

The second aspect of the ordinance amendment is Article 13. Right now large agricultural equipment is provided an exception to the full paving requirement. It allows you to have gravel on the property with some paved drive aisles.

Based on testimony we've heard over the years, and we've had more than one example where this type of use has tried to go in, and there are issues based on the weight of the machinery, the steel tracks on the machinery, that it will tear up asphalt or concrete. We have always heard we have to have gravel, we have to have gravel or else our operation won't work. So what the proposed ordinance does is in Article 13 it applies the paving exception to contractor equipment dealers as well. They have not enjoyed that privilege in the past. Then it sets the parameters for when screening would be required.

With that we would submit the text amendment
to you for consideration tonight through the public hearing. We have prepared some Findings of Fact and I'll go over those.

1. The proposed text amendments reflect uses that are occurring in our changing economy and should be recognized to encourage economic development;

2. The Comprehensive Plan contains an adopted goal to "Reserve the land in the rural service area primarily for agricultural uses, other natural resources activities, and support uses that need to be near such activities";

3. The Comprehensive Plan contains an adopted goal to "Avoid the introduction of urban activities that would have a detrimental effect on residential activity, but allow some mixture of appropriate nonresidential uses";

4. Allowing conditionally permitted large farm and contractor equipment dealers in A-U Urban Agriculture and A-R Rural Agriculture zones would promote the development business that support our agricultural economy while providing protection to residential and agricultural uses in those areas by limiting the intensity of the allowable activity through the conditional use permit process;

5. Evidence presented and gathered at
previous public meetings supports the paving exception
for contract equipment as it is comparable to large
agricultural equipment that already enjoys the
exception and the proposed buffer standards should
allow sites to develop while still maintaining
adequate screening; and,

6. The addition of a provision to
conditionally permit large farm and contractor
equipment dealers in agricultural zones is in keeping
with other uses that are currently conditionally
permitted within agricultural zones.

With that the Staff would recommend that you
consider this for approval. We enter that Staff
Report into the record as Exhibit 1.

CHAIRMAN: Commissioners, I agree with
Mr. Howard on these issues. I've served 20 years on
the Board of Adjustments. It does allow more
flexibility, but it also more control when you place
these in more residential or farming. When we put
conditions on it and the conditions are monitored and
in case they do not abide by those conditions, that
can be revoked.

One other thing. On the gravel not requiring
paving, this kind of plays in Chapter 14, the Clean
Water Act. Trying to put more water back in the
ground and not runoff. This helps when they have to be in phase two of the boundaries of the Clean Water Act. So the gravel situation does help. I think it's a good rule. It's a good thing to do since I've served 20 years on the Board of Adjustments and understand a lot about it.

With that I'm going to ask is there anyone in the audience that would like to speak on this?

MS. KNIGHT: State your name, please.

MR. PAYNE: David Payne.

(DAVID PAYNE SWORN BY ATTORNEY.)

MR. PAYNE: First of all, the gravel part. The particular company we're talking about has no gravel now and they've been operating there for years and they don't have any trouble tearing their pavement up. I take equipment there myself.

As far as the gravel/dust problem, there is a subdivision and there is a school in the area that we are talking about. I don't know if this is without the fence or any of that stuff too. I don't even know if Worthington Road is properly wide enough for lowboys and heavy equipment and a bus trying to get out at the same time. I don't know if you realize that that school does not even have a school zone on it. If this goes there, not only is the school zone
going to be put, but the state is going to have to put
a turn lane better than they have coming off
Worthington. That area is not set up for industrial
at all roadway.

If it is to end up going there, I would rather
it have a proper fence and the blacktop. Not gravel
and a low fence.

First of all, we have to remember that there's
grade school children across the street every day when
school is in session. You know how kids and tractors
are. Hopefully that would never happen, but it is a
possibility.

I would just ask you to consider that before
you make a ruling on this. If you start changing the
rules for one person and one company, what are they
going to ask next? That's my biggest concern. Thank
you.

CHAIRMAN: Mr. Noffsinger, would you address
his concerns?

MR. NOFFSINGER: Yes, sir.

Mr. Payne, this item is about a public hearing
in order to consider a text amendment to the zoning
ordinance for Owensboro and Daviess County. It is not
about a specific business or a named business.

Now, the issue you speak of is part of a
zoning change that is with the Daviess County Fiscal Court now. However, we're not here tonight to speak about a particular business or to determine if a location you're talking about is appropriate for any type of use. What we're here tonight is to consider whether or not large contractor equipment and farm dealerships should be allowed to locate in agricultural zones with a conditional use permit and then to address screening issues as well.

MR. PAYNE: I understand that, but if you rule to change the ordinance, then that going to Fiscal Court would be mute because there wouldn't need to be a zoning change. That's why Mr. Mattingly asked you to do this and look at it; is that correct?

MR. NOFFSINGER: That is absolutely correct. There would be a public hearing before another board, the Board of Adjustment, to consider whether or not these types of uses would be conditionally allowed to operate there with a conditional use permit. That board would have to consider what you're speaking of at a location to make a determination as to whether or not it's appropriate, if it's compatible with the neighborhood, and what conditions would be necessary if they approve it to make it compatible with the neighborhood, which could go above the requirements of
the zoning ordinance.

MR. PAYNE: But the problem is the adjoining
landowners would be notified. That's only two houses
in the subdivision. So how would we know when that
hearing is going to be? Would it be published?

MR. NOFFSINGER: Well, the same as a zoning
change, which is required by the statute. We notify
the same way. Again, we're not speaking to a
particular location. I just want to make sure the
record reflects. We're speaking to the community as a
whole, and on notification of a conditional use
permit. Just like on a zoning change, we are required
to notify those property owners that adjoin a proposed
property. This would be the same type of notification
on a conditional use permit that you would have on the
zoning change.

MR. PAYNE: I mean for the public hearing to
change the ordinances, that would be notified the
entire county?

MR. NOFFSINGER: Well, this is a public
hearing tonight before the Planning Commission. If it
is, whatever the recommendation is by this board, it
has to go to the city and county for their two
readings and public hearings before any change is
made.
MR. PAYNE: Thank you.

MR. NOFFSINGER: You're welcome.

CHAIRMAN: Anyone else like to speak?

Yes, sir. Step up to the mike, please.

MS. KNIGHT: Would you state your name for the record?

MR. JOHNSON: Charlie Johnson.

(CHARLIE JOHNSON SWORN BY ATTORNEY.)

MR. JOHNSON: I had a question regarding the fencing, the appropriate screening, because that's the property we're looking at or discussing here which it could be anywhere.

If the road is higher than the property, the property is down in a little valley. So I guess what determines that screening? What determines the height of the screening?

MR. NOFFSINGER: Per ordinance that height would be measured at grade where that fence is. Not from a road. It would be measured at grade where the fence or screening material is located.

MR. JOHNSON: That kind of makes it irrelevant because you can see right over it. That's what I was asking.

MR. NOFFSINGER: In some cases it could, but again, we're not talking about a specific location
here. We're just speaking of the ordinance and what
the height would be.

   Again, if you have a conditional use permit,
then those types of items can be taken into
consideration if that conditional use permit is
granted. If the ordinance requires a minimum of say a
three foot high fence, the Board of Adjustment may
place a condition that to be compatible with the
neighborhood you have to have a six foot high fence.
I'm not saying they will. I'm just saying with that
conditional use permit you do have the ability with
that board to set conditions that are in excess of the
zoning ordinance in order for that use to be
considered compatible with the neighborhood.

   MR. JOHNSON: Thank you.

   MR. NOFFSINGER: You're welcome.

   CHAIRMAN: Anyone else?

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

   MR. KENNEDY: Robert Kennedy.

   (ROBERT KENNEDY SWORN BY ATTORNEY.)

   MR. KENNEDY: I have a question about when we
go to put these zoning ordinances in and you have a
certain area that you zone for agricultural mix, who
is the governing body for the area as far as
entranceways and coming and going? Would it be the
city, the county or the state for the entrance?

MR. NOFFSINGER: It would be determined based
upon which jurisdiction has that right-of-way.

For example, on Highway 60, it would be
federal and state maintains that. They have the say.

On the local county roads, that would be say
the Daviess County Fiscal Court.

On city roads, it would be the city that would
review that.

This board as well makes recommendations and
does make certain requirements regarding access to
roadway, but ultimately the jurisdiction rests with
that jurisdiction that's required to maintain it.

MR. KENNEDY: That's what I was wanting to
know. Because I know like going down Frederica Street
you can only have new entrances now every 500 feet.
They have new rulings on that. Of course, you know,
decorations and everything else. Everything has a
ruling on that. I just wanted to know who the
governing body for the area. Thank you.

MR. NOFFSINGER: You're welcome.

CHAIRMAN: Anyone else?

(NO RESPONSE)

CHAIRMAN: Commissioners, do you have any
comments or questions?

MR. KAZLAUSKAS: Yes.

After reviewing this, Mr. Chairman, on the second page where will we talk about "C/26 Farm equipment dealer," I for one certainly agree with that. I think that that type of a business or a dealer that would serve as farm equipment would be a help not only to the farming community, but it helps that farmer from having to get that farming equipment into the city or into an industrial park where it could cause a traffic problem.

Going back over to the first page, C/26 where we talk about contractor equipment dealer, I guess I need a definition of a contractor equipment dealer. Are we talking about backhoes or are we talking about pieces of equipment that could be used in a coal mine with a 12 to 16 foot wheel on it? As I went through this, as I reviewed this, I could not find any descriptions of what a contractor equipment dealer would be. Although, I'm in favor of the farm equipment dealer, because I think that's just a common sense issue, I have some questions about what a contractor equipment dealer would be. Maybe the Staff could help me out with that.

CHAIRMAN: I can speak on that because I am a
contractor and am quite familiar with heavy equipment. There are several different types of equipment that is contract equipment. You have your large tractors, what they call a Challenger. You have your dozers that's on steel tracks. Your Challengers are on pad. You have your track hoes. You have your backhoes. You have your rental equipment. You have large trenchers. You have your big dirt pans. Some are self-propelled. Some are not. A lot of the contract equipment is very similar to the farm equipment these days. In fact, you can use those big Challengers or tractors either in the contractor business or you can use them on a farm. In fact, some of the farmers rent their Challengers and equipment to the contractor to pull those big dirt pans.

So when you get into contractor equipment it's anything from a small backhoe to a monster tractor, or earth moving equipment, or a track hoe. So there's many, many things in contract equipment. A lot of it is very similar to farm equipment these days.

Most of your contractors like to when they sell and rent equipment they like to locate on a main thoroughfare because of exposure. They don't like industrial parks. As far as the ground use itself,
equipment, as far as sales is concerned, is not a
major difference in my opinion.

MR. KAZLAUSKAS: I guess the question I have
though, Mr. Pedley, would contractor equipment, would
that be the same thing as equipment that's used in
coil mining? What I'm talking about is big monster
trucks. I mean those big things.

CHAIRMAN: Normally you don't see that type of
equipment out that is on display for sale or display
for rental. Most of your big dealers like CAT and
those people, they work directly with the coal mine
industry. Most of the time you see the equipment go
straight to the mines. I can't answer all the
questions you have. If you go out Highway 81 and look
at Wayne Supply there, you'll see what I'm talking
about. They have contract equipment sitting out front
on display. It's all of your equipment. It's very
nice. It's very clean. It all depends to me on how
they locate their used equipment and what I call the
junk area on their site. Get it back off the road.

When you come to the Board of Adjustments,
we're going to look at these things. That's what the
Board of Adjustments does. We can put conditions on
it that require them to, if they have a storage yard
or old used junk equipment, we could actually require
them to put it in a more screened area.

This by far would be better, in my opinion, to take an agricultural zone and allow a conditional use permit than it wouldn't to do a zoning change. Because as Mr. Howard stated, a zoning change, once you do that and you open the door and they can just keep expanding, expanding, expanding.

The conditional use permit is for strictly that business and nothing else. If that business goes bust or goes out, no one else can come in and use that. It's strictly for that business. It does not run with the land. It runs with that business.

A variance runs with the land. A zoning change runs with the land. That's about all I can tell you about it.

Mr. Reeves has got his hand up so I'll recognize him.

MR. REEVES: I want to point out that if you'll look at Chapter 8, Page 9 down at the bottom green screen stuff there. It says, "An applicant for such conditional use shall make the Board of Adjustment aware of the maximum scope of business which will we operated on site."

So they would have to define what kind of equipment was going to be there. As Mr. Pedley said,
the Board of Adjustment could make a condition as far as limiting what type of equipment could go there. If we wanted to say you could not put coal mining equipment on there, that could be a condition for approval.

MR. KAZLAUSKAS: You understand my concern.

MR. REEVES: Yes.

MR. KAZLAUSKAS: I think the concept is good. I think it serves a purpose, but I don't want to see it being misused and that's where the Board of Adjustment would have to make a decision on what type of equipment would go in.

CHAIRMAN: Yes. That's exactly right.

Mr. Boswell.

MR. BOSWELL: Just a point of clarification. As I read this, it would seem to me that really you've got a farm equipment dealer in actuality could also be a contractor dealer because he's going to be leasing or contracting that equipment out, whatever it may be. So essentially they're one in the same. Am I interpreting that correctly?

MR. NOFFSINGER: Yes, sir, that is correct.

MR. BOSWELL: Thank you.

MR. NOFFSINGER: The zoning administrator is nodding his head "yes."
CHAIRMAN: Commissioners, anyone else?

Yes, Mr. Moore.

MR. MOORE: Thank you, sir.

My question is: This request came from the Daviess County Fiscal Court. Is that normal? Is that how it normally happens or did they just call, I want you guys, the Staff, to look at this or did someone ask them to look at that or how did this come about? Is that the normal the way it occurs?

MR. NOFFSINGER: Yes, sir. That would be the normal process as recognized by the Kentucky Revised Statutes.

CHAIRMAN: Correct me if I'm wrong, Mr. Noffsinger, but Fiscal Court may adopt this, but the city may not?

MR. NOFFSINGER: That is correct.

CHAIRMAN: Yes, sir.

MS. KNIGHT: Would you please state your name again.

MR. PAYNE: David Payne.

MS. KNIGHT: I would remind you you're under oath.

MR. PAYNE: Thank you.

Two things. The first thing that comes to mind is if you change these ordinances any type of
this kind of business can ask you for a conditional
use permit anywhere in the county or if the city
adopts it in the city. I know you would have more
control of things, but that wouldn't stop it from
going anywhere. If you pass this is to where they
don't have a zoning change, then I can go get a John
Deere affiliate myself and start one if I can get a
conditional use permit. That's my concern.

The main concern, Mr. Pedley, is what you just
said. Their junk area. I don't want to see a junk
area anywhere in Daviess County because there are
ordinances against that. If they can have a junk
area, then they don't need to be in business anyway.
That's my big concern right there.

CHAIRMAN: Here is what the Kentucky Statute
says. It must have a harmonious integration into the
neighborhood, and it will not adversely affect future
development. That's the things that the Board of
Adjustment we have to consider and make a judgment
call. Will it harmoniously integrate into the
neighborhood, and will it have an adverse influence
for future development.

Mr. Noffsinger, correct me again, I believe
that's what the Kentucky Statute says.

MR. NOFFSINGER: You are correct.
MR. PAYNE: Thank you.
CHAIRMAN: Thank you, sir.
Anyone else?
(NO RESPONSE)
CHAIRMAN: Commissioners, any other questions?
(NO RESPONSE)
CHAIRMAN: Audience, anyone in the audience?
Yes, sir.
MS. KNIGHT: State your name for the record, please.
MR. MORTON: My name is Tom Morton.
(TOM MORTON SWORN BY ATTORNEY.)
MR. MORTON: I understand that you put a fence around your business, but I don't understand why you have to put a fence and trees and shrubbery on the inside of the fence. That never made no sense to me. I'd kind of like to get you all to explain it a little.
CHAIRMAN: Mr. Noffsinger.
MR. MORTON: I can understand one, but I cannot understand both. Trees and all of that, it gets pretty expensive when you're trying to start a business.
MR. NOFFSINGER: I agree with you. This ordinance attempts to reduce the landscape
requirements for these types of uses, but also is respectful of adjoining uses.

The fence that you're speaking of generally is a chain-link fence which provides absolutely no screening whatsoever. The bushes would provide three foot high continuous element and it should be in front of that fence along say a public right-of-way so that it will break up that fence and that graved area. Certainly you're not going to see bushes and then a solid privacy fence, but a chain-link fence does absolutely no good for screening or to control any dust whatsoever.

MR. MORTON: Whenever I read it in the paper, it says that it's going to be trees and shrubbery on the inside of a privacy fence. A privacy fence to me is not a chain-link fence. It's a solid fence.

MR. NOFFSINGER: No, sir, that is not the way the ordinance is proposed.

MR. MORTON: Okay. I just wanted to kind of explain it to me and the people out.

MR. NOFFSINGER: I agree with you.

MR. MORTON: Thank you.

CHAIRMAN: One other thing. The trees, according to the ordinance, can be clustered anywhere on the property. Those trees are for environmental
purposes as much as esthetic appeal. So they can be
clustered. It doesn't have to be, I might be wrong on
this, Mr. Noffsinger, but they can be clustered
according to the ordinance.

MR. NOFFSINGER: That is correct, sir.

CHAIRMAN: Thank you.

Anyone else?

(NO RESPONSE)

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

MR. APPLEBY: Mr. Chairman, I make a motion
for approval of the text amendments based on the
Planning Staff Recommendations and the Findings of
Fact as stated by Brian, Findings of Fact 1 through 6.

CHAIRMAN: We have a motion for approval by
Mr. Appleby.

MR. REEVES: Second.

CHAIRMAN: We have a second by Mr. Reeves.

Comments or questions on the motion?

(NO RESPONSE)

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous.

Next item, please.
CELLULAR TELECOMMUNICATIONS FACILITIES
PER KRS 100.987

ITEM 3
381 Thruston Dermont Road
Consider approval of a wireless telecommunications tower.
Applicant: New Cingular Wireless PCS, LLC d/b/a AT&T Mobility; Heritage Baptist Church of Owensboro

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

MS. EVANS: Melissa Evans.

(MELISSA EVANS SWORN BY ATTORNEY.)

MS. EVANS: This tower proposed is a 175 foot monopole tower with a 15 foot lightning arrestor. The cellular tower proposed does meet all the distance requirements for residential structures and the applicable setback from the property lines. The applicant is proposing an 8 foot wooden privacy fence around the entire tower, but they are however asking for a waiver of the 6 foot tall staggered evergreen trees around the property.

As you can see in an aerial photo that we did have for you that's not showing up on your screen, this property sits back on Heritage Baptist Church property on Thruston Dermont Road and it's surrounded by trees most of the way around the property. So
they're asking for a waiver of the required trees, but
they are going to provide an 8 foot privacy fence.

Staff would recommend approval with the
following Findings of Fact:

1. The application is complete with all
materials in accordance with the Owensboro
Metropolitan Zoning Ordinance;

2. The site is in compliance with all design
criteria of the Owensboro Metropolitan Zoning
Ordinance;

3. The permanent tower will improve service
for users within the community; and,

4. By providing the opportunity for three
total service providers on this tower, we are
promoting the goal of the Comprehensive Plan to
encourage collocation in order to minimize the number
of telecommunication towers.

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

CHAIRMAN: Anyone here representing the
applicant?

MR. PIKE: David Pike, Pike Legal Group.

MS. KNIGHT: You're sworn as an attorney.

MR. PIKE: Mr. Chairman, do you want to start?

CHAIRMAN: Mr. Pike, I'll ask the
Commissioners, do you have any questions of Mr. Pike?

(NO RESPONSE)

CHAIRMAN: Anyone in the audience have any questions of Mr. Pike?

(NO RESPONSE)

CHAIRMAN: If not I think --

THE WITNESS: I think Mr. Pike will sit down.

I would indicate before I do sit down, Mr. Chairman, with your permission I would like to thank your entire zoning staff. We worked very hard to come up with a well configured site. This is the first of several as part of AT&T's commitment to deploy their ultra high speed wire system here in the county. I have a number of expert witnesses with me here today on a wide range of issues that we could have called, but I'm grateful for the Staff's thorough review. If this is an expedited proceeding, then it's due in large measure to their assisting us in developing a well-formulated, well-articulated application. We're grateful for their help.

CHAIRMAN: Thank you, sir.

If there are no comments or questions, chair is ready for a motion.
MR. REEVES: Mr. Chairman, I make a motion for approval based on Staff's Findings of Fact 1 through 4 and also requesting the waiver of the 6 foot staggered evergreen trees be waived.

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

MR. APPLEBY: Second.

CHAIRMAN: We have a second by Mr. Appleby.

Comments or questions on the motion?

(NO RESPONSE)

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous.

MR. PIKE: Thank you very much for that approval.

CHAIRMAN: You're welcome.

Next item.

Related Item:

ITEM 3A

3581 Thruston Dermont Road
Consider approval of minor subdivision plat.
Applicant: Heritage Baptist Church of Owensboro

MR. NOFFSINGER: Mr. Chairman, this is the plat for the cellular tower facility that you just approved. It does come to you as an exception to the
subdivision regulations and it does not meet all the
minimum lot requirements for the zone; however it is
for utility purposes. That is noted on the plat.
It's recommended for your approval.

CHAIRMAN: Anyone in the audience have any
comments or questions on this item?
(NO RESPONSE)
CHAIRMAN: Commissioners, comments or
questions?
(NO RESPONSE)
CHAIRMAN: Chair is ready for a motion.
MR. APPLEBY: Motion for approval.
CHAIRMAN: We have a motion for approval by
Mr. Appleby.
MR. BOSWELL: Second.
CHAIRMAN: We have a second by Mr. Boswell.
Comments or questions on the motion?
(NO RESPONSE)
CHAIRMAN: All in favor of the motion raise
your right hand.
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)
CHAIRMAN: Motion carries unanimous.
Next item.
MR. PIKE: Thank you again.

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COMBINED DEVELOPMENT PLANS/MAJOR SUBDIVISIONS

ITEM 4

4200, 9.561 acres
Consider approval of combined final development plan/major subdivision preliminary plat.
Applicant: Jagoe Land Corporation

MR. NOFFSINGER: Mr. Chairman, this plan comes to you having been reviewed by the Planning Staff and Engineering Staff. It's found to be in order. The use is consistent with the underlying zone. It meets the minimum requirements of the zoning ordinance and subdivision regulations and is ready for your consideration.

CHAIRMAN: Anyone here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Anyone have any comments or questions on the application?

(NO RESPONSE)

CHAIRMAN: Commissioners, do you have any comments or questions?

(NO RESPONSE)

CHAIRMAN: Chair is ready for a motion.

MR. BOSWELL: Motion for approval.

CHAIRMAN: We have a motion for approval by Mr. Boswell.
MR. TAYLOR: Second.

CHAIRMAN: We have a second by Mr. Taylor.

Comments or questions on the motion?

(NO RESPONSE)

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous.

Next item, please.

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NEW BUSINESS

ITEM 5

Subcommittee on Bylaws and Personnel Policy
Presentation on Amended Bylaws

CHAIRMAN: Commissioners, we've had a committee working on the bylaws and personnel policy and Mr. Kazlauskas is the chair of that. I'm going to ask him to do a presentation. After that, I'm going to ask you to approve the bylaws.

MR. KAZLAUSKAS: Thank you, Mr. Chairman.

First of all, I would like to publically thank Mr. Pedley, our chairman, and Larry Boswell, Fred Reeves, our director, Mr. Noffsinger, for the time that they spent going over these bylaws. Thank you.

Then, of course, special thanks to Brian
Howard who kept meticulous minutes. We want to thank him. I don't think we could have got through it without him taking down every word.

The committee did have three meetings in the last week to consider this. What I would like to do, if there's no objection, is go over the proposed changes and then I'll entertain any questions from any of the commissioners that might have any.

If we go to Page 1, Section 2, under Section 2 you'll see "Planning Commission shall perform his duties as described by proper parliamentary procedure." That was stricken out and the words entered were "codified in the latest edition of Robert's Rules of Order."

After speaking with our attorney, our attorney advised us that we really need to go back to proper parliamentary procedure instead of the latest edition of Robert's Rules of Order. I certainly agree with our attorney in that. She can explain why she's advising us to do that.

MS. KNIGHT: Thank you, Mr. Kazlauskas.

Just to clarify, I believe the way that that should read, all of it should be left in. The paragraph should read, "The Chairman shall be the presiding officer at all meetings and hearings of the
Planning Commission and shall perform his duties as described by proper parliamentary procedure codified in the latest edition of Robert's Rules of Order."

The reason that I think it should all be left in is parliamentary procedure is the way that we conduct meetings as a general idea or concept. That procedure is codified by Robert's Rules. So we're still operating under parliamentary procedure, it's just that that's the specific book that we look to for guidance if we need it. Does that make sense?

MR. KAZLAUSKAS: Very good. Thank you.

The next change we want to talk about is in Section 6 on Page 2. We've omitted under "and to call this roll when required." "The duties of the Secretary-Treasurer are as follows: To keep records and minutes of each meeting or hearing of the Commission; to keep a roll of the members," and we felt like "and to call this roll when required" was not needed at this time. So we suggested that verbiage be omitted.

On Page 3 under Article III on Section 1, the last sentence, "in each year except that the first election will be held immediately after the Commission is legally organized."

That was placed in there when the OMPC was
organized. It's really verbiage at this point that can become confusing. The committee felt that it ought to be omitted at this point because we are legally organized at this point and continue on. We really don't need that verbiage in there.

If you go down to Section 3, you'll see that we struck out "except as provided in Section 1 of this Article." That relates back to the Section 1 which was omitted. So we suggest that that verbiage also be omitted.

Going over to Page 4 under Meetings, Section 3, there was a lot of discussion, and I don't want to say hours of discussion, but there was certainly a lot of discussion on this simple paragraph. "Simple majority vote of all members present where there is a properly constituted quorum shall be necessary to transact any official business, except that a vote of a simple majority of the total membership shall be necessary for the adoption or amendment of the Commission's Policies or elements of the Comprehensive Plan or regulations."

Basically what we're saying is we've got to have six members majority there to vote.

Am I right, Counsel? Isn't that what we're talking about there?
MS. KNIGHT: Yes. I know this was probably the most confusing part for sure.

Just to give the other commissioners a little bit of background. I think the way that this ended up being changed was to mirror the language of the charter. That one was studied on as well. Then also to mirror KRS.

There were a few things added such as the Commission's Policies. I think that's intended because the personnel policies are being reviewed at this time as well. That's important that we know how to amend those.

The elements of the Comprehensive Plan, that's specific in the statute. The word after that, "or regulations" is not in the statute, but is in the charter. So that was the only kind of iffy thing and probably the only one thing that really calls for questioning even at this point.

I do think that the way that you all have amended that definitely clears up Section 3.

MR. KAZLAUSKAS: Believe me, we spent a lot of time or verbiage on that trying to get it corrected. We appreciate the help of counsel on that.

MS. KNIGHT: Absolutely.

MR. KAZLAUSKAS: On Section 4, "The notice of
such a meeting shall specify the purpose of such a
meeting and no other business may be except by
unanimous consent of the Commission." This has to do
with special meetings. The committee felt that once a
special meeting is called that that meeting should be
for that specific item that the meeting was called
for. That it should not, other items should not be
considered. So we took out that "except by unanimous
consent of the Commission." We felt that that was
confusing and might have opened the door for some
conflicts in the future. So we felt that that really
needed to be removed.

Article VI Order of Business, if you'll
notice, and I won't go over them. The Order of
Business is in green. Basically what we did was,
well, what the Staff did was put into order the way
that we have been conducting our meetings for the last
several years. That has worked very well for us.

The old order that is marked out in red was
actually taken from Robert's Rules of Orders. Really
we weren't following them correctly. So the ones in
green we are following right now. Hopefully that will
send us on our way.

Under Article VII Transaction of Business, we
struck out "Any member of a Planning Commission who
has any financial interest in any question called to vote shall notify the Commission of such interest and thus, disqualify himself from voting on the matter."

We included the verbiage "Any member of the Planning Commission who has any direct or indirect financial interest in the outcome of any question before the body shall disclose the nature of the interest and shall disqualify himself from voting on the question, and he shall not be counted for the purpose of a quorum."

We felt very strongly that this brought us into compliance with KRS 100. Following that KRS we felt very good with that verbiage.

Under Section 3, "Any member of a Planning Commission found to have any direct or indirect financial interest in a question called to vote shall not be considered in the quorum count prior to the voting."

Again, this was stricken out. We believe that this brings us in closer compliance with KRS 100.

On the very last page under Section 5, "The Planning Commission may appoint one (1) or more of its members to act as a hearing examiner or examiners and report his findings to the Commission," that was struck out and we put in the verbiage, "The Planning
Commission may appoint one (1) or more of its members to act as a hearing examiner or examiners to preside over a public hearing and make recommendations to the Commission based upon a transcript of record of the hearing."

Again, this verbiage brings us into compliance with KRS 100. We feel that that verbiage protects us to a certain degree.

Although, these article are only about eight pages, I think we spent somewhere close to six or eight hours going over them. I certainly want to thank everyone that spent their time and energy on this.

I'll open the floor to any questions that the commissioners might have. If I can't answer them, I'm sure our counsel can.

CHAIRMAN: Anyone have any questions or comments on the bylaws?

MR. REEVES: I'd like to make just one comment to reenforce what Mr. Kazlauskas said.

As we look at amending these, there were things we thought we could do and would like to do, but found that KRS 100 and the enabling legislation that created the body was very descriptive in most cases. So therefore we tried to be sure that we were
in exact compliance with those documents and those legal requirements.

I think the previously had probably not been done that well. Once we had those documents in hand, it really gave us some guidance and tied our hands a little bit. That was a good way to have them tied.

CHAIRMAN: Anyone else have any comments?

MR. ROGERS: Mr. Chairman, I'd just like to thank the committee for putting all the time in this. They done a great job. Appreciate it. I'm sure the rest do too.

CHAIRMAN: Anyone else?

MR. TAYLOR: Mr. Chairman, I'd like to thank John and the committee. You did a great job on this. I'd like to have a little clarification on Article VII, Section 1 where you have "Any member of the Planning Commission who has direct or indirect financial interest," what do you all consider indirect?

MR. KAZLAUSKAS: Counsel.

MS. KNIGHT: We had some discussion about this as well. It's not defined in the statute or elsewhere really. I know just as a traditional rule adjoining property ownership, anything that's being viewed as a direct financial interest.

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Indirect could be anything. If you're not sure, always discuss it with me, bring it up. Be happy to discuss it with you beforehand. It's very fact specific determination. So it's really going to hinge on every case by case by case basis. That's the best definition or explanation I can give you.

MR. KAZLAUSKAS: Wally, we discussed at length about what the commissioners should do when they're placed in that situation. I think we finally came down to the conclusion that if there was any doubt at all, that that commissioner should go ahead and excuse himself such as Mr. Appleby did at the last meeting. If there's any -- we know what the law says. I mean the law is very black and white. If you look at it, you know, you can set up here in some circumstances, but I think most of us on this board, if there was any question at all we should get up and leave. Even if it's direct and/or indirect.

MR. MOORE: I'm going to say indirect financial interest, could that be a spouse?

MS. KNIGHT: Absolutely. Yes.

CHAIRMAN: Mr. Boswell.

MR. BOSWELL: I just want to make a couple of comments.

As a member of that committee, I think John
did an outstanding job on his work with the committee.
All the members did as well.

Interesting thing about this was we were all
in total agreement that we wanted to try to review
this and find something that was the best workable
plan and that would work for the entire commission and
everybody involved in this. We wanted to make sure
that we were as fair as we could with the discussion.
There was a lot of back and forth discussion about,
there was some disagreements as well about how things
should go. I think at the end of the day, we all felt
like that we needed to work toward something that
would be very beneficial in the way of bylaws that
this commission could operate under for this
community.

CHAIRMAN: I would like to thank
Mr. Kazlauskas. He did a great job as chairman.

Mr. Boswell, you too, and Fred.

Brian Howard, your keeping the minutes. You
did an amazing job. Thank you very much.

Mr. Noffsinger, all your input and help. I
want to thank you.

I appointed this committee and we have done
what I thought we needed to do. I think our chairman,
Mr. Kazlauskas, did a great job.
If there are no more comments, I'm going to ask for a motion to approve these bylaws?

MR. MOORE: Motion to approve.

CHAIRMAN: We have a motion to approve by Mr. Larry Moore.

MR. FREY: Second.

CHAIRMAN: Second by Mr. Steve Frey. Any comments or questions on the motion?

(NO RESPONSE)

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous.

Next item.

ITEM 6

Consider approval of January 2014 financial statements

MR. NOFFSINGER: Mr. Chairman, each member has been mailed a copy of the their ready for your consideration.

CHAIRMAN: Is there any comments or questions on the financial statement?

(NO RESPONSE)

CHAIRMAN: If not chair is ready for a motion.

MR. KAZLAUSKAS: Motion to approve by Mr. Kazlauskas.
MR. APPLEBY: Second.

CHAIRMAN: Second by Mr. Appleby. Any comments or questions on the motion.

(NO RESPONSE)

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous.

ITEM 7

Comments by the Chairman

CHAIRMAN: Commissioners, last month on February 20th we had a work session to address the mayor's business committee recommendations. That meeting was held. It was a two hour meeting. We had a lot of good comments, suggestions. I thought the meeting was very, very productive. We have set another meeting for March 20th at 5 p.m.

Is that correct and okay with everyone?

(NO RESPONSE)

CHAIRMAN: Anyone have any --

MR. NOFFSINGER: That will be in Room 406 in City Hall.

CHAIRMAN: The next meeting will be next Thursday at 5:00 at the work session. I want to thank every one of you for your work on that. I thought it
was very productive. It was educational for all of us. We all learned something, I believe.

The next thing is the personnel policy. We've been working on getting started on that. We have the planning director, a position description. I'm going to ask Mr. Kazlauskas to bring us up-to-date on where we are on the personnel policy.

MR. KAZLAUSKAS: Thank you, Mr. Chairman.

Actually we moved fairly quickly on the document that I believe all the commissioners have. We've already had, what, two or three meetings. I forget.

MR. REEVES: Three or four.

MR. KAZLAUSKAS: Three or four. We were able to move through very quickly and we were able to make some changes. I think what was really helpful was that Mr. Noffsinger and the Staff was there to answer the multiple questions that we had.

As we met last -- well, no. I guess it was earlier this month on the committee to review the work session that we had, we talked about the evaluation. We have gone through that. Have worked that out and actually all of the work is done. It will be presented to this commission on I think we discussed May, in May. We want to give the Staff the
opportunity to go back, make all the changes like they
did in the bylaws, where the commissioners have the
opportunity and the time to go back and read. Then
we'll go through those again. So we covered all the
points that we felt needed to be done.

In that we found that there was not a good job
description for the executive director of the OMPC.
The Staff, Mr. Noffsinger and the Staff worked and
presented the Working Committee with a working
document that turned out to be what is in front of you	onight. It's probably one of the best descriptions
of a Director of OMPC that we could have come up with.

To be honest with you, the Staff went out and
searched other communities and picked what was best
from other job descriptions. Brought them back to the
Working Committee. The Working Committee went over
and approved what you see, what is in front of you at
this point.

Gives a good overview of what we expect the executive
director to do.

So if anybody has any question, we'll try to
answer them.

CHAIRMAN: I would like to state that we need
to go ahead and act on this and approve this. We can
either do that tonight, if I'm correct, Counsel.

MS. KNIGHT: That's fine.

CHAIRMAN: Or we can do it at the April meeting. It's my opinion we need to go ahead and get this approved.

If anyone has any comments, suggestions or questions on this before I ask for a motion to approve tonight or we make an agreement to present this at the April meeting for approval. I think we need to go ahead and approve this either tonight or the April meeting and not go to the May meeting with it. Are there any comments or questions on this?

(NO RESPONSE)

CHAIRMAN: Anyone?

(NO RESPONSE)

CHAIRMAN: Would you like to go ahead and approve it tonight?

(NO RESPONSE)

CHAIRMAN: Chair is ready for a motion.

MR. BOSWELL: I'll make a motion for approval of the director's position.

CHAIRMAN: We have a motion for approval by Mr. Boswell.

MR. TAYLOR: Second.

CHAIRMAN: Second by Mr. Taylor. Comments or
questions on that motion?

(NO RESPONSE)

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous.

Next item, please.

ITEM 8

Comments by the Planning Commissioners

CHAIRMAN: Commissioners, anyone have any comments or questions or anything you would like to bring tonight? It's open for your comments or questions.

(NO RESPONSE)

CHAIRMAN: Anyone?

(NO RESPONSE)

CHAIRMAN: If not, next item.

ITEM 9

Comments by the Director

MR. NOFFSINGER: Comments by the Director and I've lost my audience.

I would like to state that the Planning Commission had a booth at the Home and Garden Show that was put on by the Home Builders Association over the weekend. I want to thank them for doing that. It
was at the Convention Center. The Planning Staff was able to meet a number of people to provide information about the Planning Commission. To answer questions that customers or future customers might have. It was a very good opportunity.

I would just like to compliment this community on a Convention Center that was absolutely phenomenal for that event. I've heard that there were probably twice the number of people in attendance at this show than what we had last year. I can tell you the people we talked to was many more than what we did last year. It was just great facility. The lighting was excellent. The space was excellent. The people were really I think happy and proud.

CHAIRMAN: Could I interrupt you for a minute?

MR. NOFFSINGER: Yes, sir.

CHAIRMAN: I would like to thank you, Manuel and Jim Mischel. I was there Friday night and I was there Saturday. They were there the entire time on the garden show, three days, and talking to a lot of people. I want to thank them. That was really an educational thing for the public. It's something we need to do more of. We need to do everything we can to educate the public about what the Planning and Zoning does. I can tell you, I listened to some of
them. They were doing a great job. People coming up and asking questions. They were able to answer the questions. I just want to thank all three of you.

MR. NOFFSINGER: You're certainly welcome.

We've been doing these Home and Garden Shows since they were at the Executive Inn. We've been to the Sports Center, a hanger out at the airport, an industrial warehouse somewhere. I'll say this was really good.

The next item, and typically I speak without prepared papers, but I would like to read this for you. If you would, just please bear with me.

"In June of 1988 I was hired by the OMPC as an entry level planner fresh out of Western Kentucky University with a degree in geography and an emphasis in city and regional planning. I must admit I had no clue as to the road ahead.

I would like to thank Roger Anderson and Gary Adams for taking a chance on me. They showed me the way and prepared me for the long road ahead.

In September of 2000 I was selected as director of the OMPC. I must admit I was excited and anxious.

I would like to thank Mike Armstrong, Ward Pedley and the Home Builders Association of Owensboro
for believing in me and showing me strong support.

During my tenure as executive director, I'm proud of many notable accomplishments. I have inspired all Staff Planners to become certified by the AICP. Three Comprehensive Plan revisions to the community's Comprehensive Plan have been completed in-house without the use of outside consultants. This has been a significant cost savings to the community.

It has always been my desire to streamline a development process.

In 2003 I initiated the committee consisting of elected officials, chamber of commerce staff, and design professionals in the community to perform a comprehensive review of the zoning ordinance. The result was a relaxing or an adjustment of regulations to become more community friendly.

I take great pride in having recommended many more adjustments that have resulted in enhancing the development process in this community such as fast track zoning change process and in-house approval of surety releases, most development plans and final plats.

The use of technology has been at the forefront of my tenure. Immediately after becoming director work began on creating a website. The
website is chalked full of information and includes a user friendly search feature. Permitting software has been enhanced from a costly custom made application to a web based application at a significant cost savings to our users. Inspectors have long since put away their two-way radios and communicate now by cell phones. iPads are used in the field by the inspector to prepare realtime reports. Customers may view inspection reports via the internet and customers are called when the inspector is on the way. Very few inspection programs offer these services. The OMPC has been a leader throughout this state and the nation.

I give all credit to Roger Anderson for creating an inspection program of cross-training inspectors qualified to inspect building and electrical installations. Under my watch this program has been maintained and is well respected throughout the state.

In 2011 the OMPC was requested by the local HVAC contractors and the Owensboro Home Builders Association to install a program to permit and inspection HVAC as opposed to a state maintained program. This program was embraced by the OMPC with existing OMPC Staff a testament to Staff
cross-training.

I would be remised if I did not stop to thank this community for the opportunity to serve. The OMPC has been good to my family and me. Much thanks to current and past board members for their service, support and encouragement along the way.

Special thanks to Drew Kirkland for his inspiration to me in both the easy and hard times. His leadership was priceless.

Judy Dixon, thank you for your encouragement and vision throughout my career. You showed me that my role was not one of a popularity contest and to be fair and consistent in all that I do.

To my family, thank you for your love and support.

The future of this community is bright. Great things are happening. The financial position of the OMPC is strong. The Staff of the OMPC is well-educated and qualified to carry out their task. I am fortunate to have had the opportunity to work with each of them. For they have made my job easy.

Special thanks to Jim Mischel for his positive attitude and witty sense of humor.

Thanks to Sonie Brown, a former Staff member, for correcting my poor grammar and inspiring me to be
Judge Executive Al Mattingly spoke his 2014 State of the County Address to the Rooster Booster crowd about new leadership and very important organizations in our community. Bright young people ready to take their place in leadership. I was inspired by his comments.

Over the past several years I have thought about the time in my departure from the OMPC. When would be the right time. I now know the answer to that question.

Thank you, Judge Mattingly, for your inspiration.

With all that I have said here tonight I feel the OMPC is well suited for my departure. My work is near completion. It is time for new leadership and vision. I will retire from OMPC to pursue other interests with a termination date of August 31, 2014, and a retirement date of September 1, 2014. This will give the OMPC adequate time to find my replacement. Much as I started this position as executive director, I once again feel excited and anxious as to the road ahead. Thank you.

CHAIRMAN: I don't think I can even find words to show my gratitude to Gary. I won't even try
tonight. This is kind of sad for me. I'm going to
cut it off right before I get too emotional.

Commissioners, I'll turn it over to you.

MR. BOSWELL: Just in my short tenure I'd like
to say, I'd like to wish Gary well. I'm sad to see
him go because he's taught me an awful lot in the
short tenure that I've been here. He's been a
valuable resource and I've always valued his opinion.
I thought he's done an outstanding job as director of
the Planning Commission and the planning group as a
whole. I just want to thank him for all his efforts
and all the work he's put in for all these years and
wish him well in whatever his next endeavor may be.

CHAIRMAN: Anyone else have any comments?

MR. KAZLAUSKAS: I certainly want to thank
Gary for his service and probably one of the hardest
positions, one of the hardest seats to sit in in our
community. Gary and I haven't always seen eye to eye.
We've always kept our disagreements as gentlemanly. I
appreciate his professionalism and the way that he has
handled himself. Most appropriately over the last few
weeks the work that he helped with our committee sped
it up and made it easier on our committee. We
couldn't have done it without Gary.

Gary, I want to thank you for your cooperation
for the work you did and for the contribution you've
made to our community while you were director.

MR. REEVES: I guess I'm stunned. I'll have
more to say at another time, I think, Gary, when we do
something more formal for you.

I've known Gary in several capacities since
I've been working downtown and everything in the past
few years.

John, I will say he has the toughest job in
the community. I really believe that. It's kind of
like being the assistant principal. You get all the
bad stuff and none of the good stuff.

I have respected consistently your integrity,
your ethics, and that you truly believe every time you
say something on behalf of this commission you're
trying to make this community a better community. I
respect that very highly. I look forward to a few
more months with you. I'm still having to digest the
whole thing. It kind of caught me off guard. You'll
be missed, truly missed.

CHAIRMAN: Anyone else?

(NO RESPONSE)

CHAIRMAN: We're fortunate to have Gary to
stay with us for another four or five months to guide
us through the transition.
At the April meeting I will be appointing a committee, a search committee for a new director. That will be coming up at the April meeting. That's one reason it's important to get this Owensboro Metropolitan Planning Commission position descriptive of the executive director, get it approved because we will be starting our search.

I'm like Fred, I'm going to save most of my comments and things when I regain my composure. To me it's not good news, but I am very happy for you.

MR. NOFFSINGER: Thank you.

CHAIRMAN: Anyone else?

(NO RESPONSE)

CHAIRMAN: If not we need a motion to adjourn.

MR. TAYLOR: Motion to adjourn.

CHAIRMAN: We have a motion by Mr. Taylor.

MR. BOSWELL: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: We are adjourned.

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

I, LYNETTE 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 57 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the 1st day of April, 2014.

LYNETTE KOLLER FUCHS
NOTARY ID 433397
OHIO VALLEY REPORTING SERVICES
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OWENSBORO, KENTUCKY 42303

COMMISSION EXPIRES: DECEMBER 16, 2014
COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY

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