

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 JANUARY 8, 2015

3 The Owensboro Metropolitan Planning Commission
4 met in regular session at 5:30 a.m. on Thursday,
5 January 8, 2015, at City Hall, Commission Chambers,
6 Owensboro, Kentucky, and the proceedings were as
7 follows:

- 8 MEMBERS PRESENT: Fred Reeves, Chairman
- 9 Larry Boswell, Vice Chairman
- 10 David Appleby, Secretary
- 11 Brian Howard, Director
- 12 Terra Knight, Attorney
- 13 Steve Frey
- 14 Lewis Jean
- 15 John Kazlauskas
- 16 Ward Pedley
- 17 Beverly McEnroe
- 18 Irvin Rogers
- 19 Larry Moore

20 * * * * *

21 MR. PEDLEY: Call to order the Owensboro
22 Metropolitan Planning Commission January 8, 2015
23 meeting. We've already had our player and pledge of
24 allegiance to the flag so we will move right on to the
25 election of officers. I'll turn it over to counsel.

MS. KNIGHT: Thank you, Mr. Chairman.

As I stated in the last meeting, the statute
requires that Planning Commission also annually elect
a chairman any other officers that deem necessary.
According to our bylaws, we do have those elections at

1 the first meeting every year. So that's what we're
2 doing tonight.

3 Also our bylaws state the officers are going
4 to be chairman, vice chairman and secretary/treasurer.
5 So those will be the offices that will be elected
6 tonight. We typically do that at least starting out
7 by voice, both by voice and show of hands. So that's
8 how we'll do it tonight.

9 We also do it in the order listed in the
10 bylaws. So we will start with chairman, and vice
11 chairman, and secretary/treasurer.

12 So at this time I will open up nominations for
13 chairman.

14 MR. PEDLEY: I nominate Fred Reeves.

15 MS. KNIGHT: Is there a second to that
16 nomination?

17 MR. APPLEBY: Second.

18 MS. KNIGHT: Mr. Reeves, do you accept that
19 nomination?

20 MR. REEVES: Yes.

21 MS. KNIGHT: Are there any other nominations?

22 (NO RESPONSE)

23 MS. KNIGHT: If not, I will close the floor
24 for nominations and we will have a vote.

25 All in favor of Mr. Reeves as chairman please

1 raise your right hand.

2 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

3 MS. KNIGHT: Mr. Reeves, congratulations. You
4 are now elected as our chairman.

5 Moving on to vice chairman. I will open the
6 floor for nominations.

7 MR. REEVES: I'll nominate Larry Boswell.

8 MR. PEDLEY: Second.

9 MS. KNIGHT: Mr. Boswell, do you accept that
10 nomination?

11 MR. BOSWELL: I do.

12 MS. KNIGHT: Are there any other nominations
13 for vice chairman?

14 (NO RESPONSE)

15 MS. KNIGHT: If not I will close the floor for
16 nominations and we will take a vote.

17 All in favor of Mr. Boswell for vice chairman
18 please raise your right hand.

19 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

20 MS. KNIGHT: Any opposed?

21 (NO RESPONSE)

22 MS. KNIGHT: Mr. Boswell is now our vice
23 chairman.

24 Now for the office of secretary/treasurer. I
25 will open the floor for nominations.

1 MR. BOSWELL: I nominate Dave Appleby for
2 secretary/treasurer.

3 MS. KNIGHT: Is there a second?

4 MR. FREY: Second.

5 MS. KNIGHT: Mr. Appleby, do you accept that
6 nomination?

7 MR. APPLEBY: Yes.

8 MS. KNIGHT: Are there any other nominations
9 for secretary/treasurer?

10 (NO RESPONSE)

11 MS. KNIGHT: Hearing none I'll close the floor
12 for nominations and we will vote.

13 All in favor of Mr. Appleby as
14 secretary/treasurer please raise your right hand.

15 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

16 MS. KNIGHT: Any opposed?

17 (NO RESPONSE)

18 MS. KNIGHT: Congratulations, Mr. Appleby.
19 You are secretary/treasurer.

20 I will now turn the floor now over to our new
21 chairman, Mr. Reeves.

22 MR. PEDLEY: Congratulations. You're under
23 the radar now.

24 CHAIRMAN: First, I would like to thank Ward
25 Pedley for the leadership he has provided this

1 commission for the last couple of years. He was a
2 marvelous chairman.

3 I don't know if the people of this community
4 realize how fortunate they are to have Ward Pedley
5 serve on this board. Ward not only serves, he works.
6 He studies every single solitary issue and brings a
7 great deal of knowledge and wealth to it and we
8 appreciate everything you do, Ward, and hope you will
9 continue to serve with us.

10 MR. PEDLEY: Thank you very much, Mr. Reeves.

11 CHAIRMAN: Now, we need to consider the
12 minutes of the December 11, 2014 meeting. Everybody
13 has been mailed a copy of them. I'll entertain a
14 motion to approve the minutes.

15 MR. APPLEBY: Motion to approve.

16 MR. BOSWELL: Second.

17 CHAIRMAN: A motion by Mr. Appleby and a
18 second by Mr. Boswell. Comments or questions?

19 (NO RESPONSE)

20 CHAIRMAN: All in favor raise your right hand.

21 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

22 CHAIRMAN: The minutes are approved.

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24 NEW BUSINESS

25 ITEM 4

1 Consider approval of November 2014 Financial
2 Statements

3 CHAIRMAN: Now we need to consider approval of
4 the November 2014 financial statements which a copy
5 was mailed to you.

6 Any commission member have any questions or
7 concerns about any items in the financial statement?

8 (NO RESPONSE)

9 CHAIRMAN: If not I'll entertain a motion for
10 approve.

11 MR. KAZLAUSKAS: Motion to approve.

12 MR. PEDLEY: Second.

13 CHAIRMAN: Motion by Mr. Kazlauskas and a
14 second by Mr. Pedley. All those in favor raise your
15 right hand.

16 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

17 CHAIRMAN: It's passed unanimous.

18 ITEM 5

19 Consider approval of the amended Public Improvement
20 Specifications surety unit cost.

21 CHAIRMAN: All of you received a copy of that.

22 I think, Mr. Howard, it would be helpful for
23 the public watching and for Mr. Jean who is new to the
24 commission, and by the way welcome to the commission,
25 Mr. Jean.

1 Mr. Jean served on the Board of Adjustment
2 prior to this so I know him. I neglected to welcome
3 him to the Board. We are happy to have you. You were
4 great on the Board of Adjustment and I know you'll
5 make a contribution here.

6 Will you kind of explain what this is and what
7 our role is as a Planning Commission is in this
8 process.

9 MR. HOWARD: Sure. I'd be glad to.

10 The Public Improvement Surety Unit Cost
11 worksheet is a document that we've had in place for
12 many years. What it does is it sets the cost for the
13 installation of public improvements and developments
14 that take place in Owensboro/Daviess County. It
15 details things all the way down to the size of pipes
16 and types of curb and pavement types, but it includes
17 storm sewers and drainage, sanitary sewer, streets and
18 sidewalks, storm water quality, water mains, fire
19 hydrants. So anything that goes into a new
20 development there's a surety cost that can be
21 calculated.

22 So what the developers do is they use this
23 worksheet in order to figure out how much surety needs
24 to be posted. So if they're putting in X number
25 linear feet of sidewalks, they can calculate how much

1 surety is required to be posted. The reason that
2 surety is posted is to ensure that the work is
3 completed and it's done right and that in the event
4 that the developer can't complete the work that, there
5 is it moneys in place. That the city engineer or the
6 county engineer could call and actually go out and
7 complete those improvements.

8 This information is updated annually so that
9 we can make sure that those costs are up-to-date with
10 what the current figures are.

11 So there's a Public Improvement Specification
12 Committee that gets together. It's comprised of local
13 builders, engineers, the different utilities, city and
14 county engineer as well. So we get together and look
15 at these numbers.

16 This year there was one change. That was on
17 the concrete sidewalk, 4 foot concrete sidewalk.
18 There's an increase of 50 cents. From \$3.25 to \$3.50
19 per square feet. That was the only change proposed
20 this year. So many years have passed. As petroleum
21 cost have gone up and things like that, that effects
22 the cost of asphalt and pipe types and things like
23 that. This year with the way things were, very
24 limited changes that were made.

25 The Public Improvement Specification

1 Committee, like I said, gets together and goes over
2 these numbers. Once they've decided and okayed this
3 and it comes before this group and this body and you
4 all make a recommendation to adopt these, then these
5 are the numbers that will be used in 2015.

6 CHAIRMAN: Mr. Howard, am I correct that this
7 is really insurance and support for the city and
8 county, right? Because they would have the
9 requirement to correct any deficiencies that has
10 occurred, correct?

11 MR. HOWARD: That's right. As I said, for
12 some reason something is not done, it's not completed,
13 the developer goes bankrupt and they can't complete
14 the work, there is surety posted to make sure that the
15 public is protected so the city or county engineer
16 could actually call that bond and go out and complete
17 the work themselves.

18 CHAIRMAN: Thank you.

19 Any commission members have any questions
20 about any of the items on here or the process? I know
21 most of us have set in one of these sessions during
22 the last couple of years. We have a general
23 understanding of how this process works. Any
24 questions or concerns?

25 MR. PEDLEY: I don't have any questions. I do

1 have a comment.

2 I served on that committee for 15 years.
3 Brian covered it very well, the purpose and need to do
4 that. I've been a developer and builder and I
5 understand it. I think the engineers has been very
6 lenient on putting an extra cost on the developer. We
7 try to hold the cost down, and this is another issue
8 on business friendly. It does help the developer and
9 the builder to keep that cost down because the amount
10 that you bond can get to be very, very high, and it
11 really hurts you at the bank when you're borrowing.
12 Everyone works very hard. As Brian stated, we have
13 contractors, we have developers, and we have
14 consulting engineers, city and county engineers. We
15 have the Planning Staff. Brian is always there. It
16 is very well done. I appreciate Brian's hard work on
17 this and putting this thing together. There are other
18 issues coming up that he's working on very hard. You
19 will be hearing about that pretty soon. I just want
20 to thank Brian for his work. I'm very, very pleased
21 with no increase except on the sidewalks. I just want
22 to get that in and let the public -- we're here on
23 public access. We have a lot of people at home that
24 watches this. I would like to get an out reach and
25 let the public know we do work on these issues. We

1 work very hard to keep cost down. We try to be
2 business friendly. I just wanted to get that across.
3 With that, that's all I have.

4 CHAIRMAN: Thank you, Mr. Pedley.

5 I would like to note too that Mr. Pedley has
6 been on that committee. Invariably Ward would bring
7 in every price on here and say, this is what I found
8 and this is a recommendation or an update. So he'd
9 make a tremendous contribution in that regard and I
10 appreciate that, Ward.

11 Any other questions or concerns?

12 (NO RESPONSE)

13 CHAIRMAN: If not the chair will entertain a
14 motion to approve these surety cost.

15 MR. KAZLAUSKAS: Make a motion that the
16 proposed Public Improvement Surety Unit Cost be
17 approved.

18 MR. APPLEBY: Second.

19 CHAIRMAN: We have a motion by Mr. Kazlauskas
20 and a second by Mr. Appleby. Any other questions or
21 concerns?

22 (NO RESPONSE)

23 CHAIRMAN: If not the chair will entertain a
24 vote. All in favor raise your right hand.

25 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

1 CHAIRMAN: Motion passes unanimously.

2 ITEM 6

3 Comments by the Chairman

4 CHAIRMAN: Don't we have a presentation?

5 MR. HOWARD: We can do it under 8, if you want
6 to or whenever you'd like.

7 CHAIRMAN: Let's do it under 8.

8 ITEM 7

9 Comments by the Planning Commissioners

10 CHAIRMAN: Any Planning Commissioners have a
11 comment they would like to make?

12 (NO RESPONSE)

13 ITEM 8

14 Comments by the Direct.

15 CHAIRMAN: Mr. Director.

16 MR. HOWARD: Thank you very much.

17 We have Wally Taylor here tonight. Wally
18 served on our Planning Commission from 2006 through
19 2014. So he was on the commission for a good while.
20 Really appreciate all the work that he did. He's gone
21 off the board. We appreciate his time served. Lewis
22 Jean has taken his spot and moved over, as you said,
23 from the Board of Adjustment.

24 We have a plaque we would like to present to
25 Wally tonight in recognition of his time on our

1 Commission.

2 (PRESENTATION TO WALLY TAYLOR.)

3 MR. HOWARD: Feel free to make a comment, if
4 you would like.

5 MR. TAYLOR: I would like to comment for you
6 and your staff, the ones that are here and the ones
7 that are not here. They sure made the Commission's
8 job easy. I really appreciate that over the years.

9 Each and every one of you all, some of you
10 I've just known for a year and some were here before I
11 got here. You all are nice and good friends and
12 enjoyed serving with you. Thank you all.

13 CHAIRMAN: Wally, I know we all appreciate
14 your service.

15 Wally was kind of a quiet servant, but when he
16 had something to say, it was worth while.

17 We really do appreciate you giving eight years
18 of service to the citizens of this commission, Wally.

19 Do you have anything else, Mr. Howard?

20 MR. HOWARD: I do not.

21 CHAIRMAN: With no other comments the chair
22 will entertain a motion for adjournment.

23 MR. ROGERS: Move to adjourn.

24 MR. APPLEBY: Second.

25 CHAIRMAN: I have a motion by Mr. Rogers and a

1 second by Mr. Appleby to adjourn. All in favor raise
2 your right hand.

3 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

4 CHAIRMAN: We are adjourned.

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

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

16 WITNESS my hand and notary seal on this the
17 28th day of January, 2015.

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20
21
22

LYNNETTE KOLLER FUCHS
NOTARY ID 524564
OHIO VALLEY REPORTING SERVICES
2200 E. PARRISH AVE, SUITE 106E
OWENSBORO, KENTUCKY 42303

23 COMMISSION EXPIRES: DECEMBER 16, 2018
24 COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY
25