The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, August 14, 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
John Kazlauskas
Larry Boswell
Beverly McEnroe
Irvin Rogers
Larry Moore

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CHAIRMAN:  Call the Owensboro Metropolitan Planning Commission August 14, 2014 meeting to order. We will begin our meeting with a prayer and pledge of allegiance to the flag. Mr. Reeves will lead us. Will you stand, please.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN:  I would like to welcome everyone. Anyone wishing to speak on any item may do so. We welcome your comments and questions. We ask that you step to one of the podiums and state your name and be sworn in. Please, if you would, speak into the
microphone.

With that the first item on the agenda is to consider the minutes of July 10, 2014 meeting.

Commissioners, you have a copy of the minutes in your packet. Are there any additions or corrections?

(NO RESPONSE)

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

MR. KAZLAUSKAS: So move.

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

MR. APPLEBY: Second.

CHAIRMAN: We have a second by Mr. Appleby.

All in favor of the motion raise you right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carry unanimous.

Next item, please.

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GENERAL BUSINESS

ZONING CHANGES

ITEM 3

1631 Breckenridge Street, 0.31 acres
Consider zoning change: From I-1 Light Industrial to B-5 Business/Industrial
Applicant: Cross Roads of Owensboro c/o Logsdon Community Center, Thomas H. & Mary Lou Blackford
MR. REEVES: Mr. Chairman, I need to recuse myself from this item.

CHAIRMAN: So noted.

MS. KNIGHT: State your name for the record.

MS. EVANS: Melissa Evans.

(MELISSA EVANS SWORN BY ATTORNEY.)

MS. EVANS: I would like to first state that all the items heard here tonight will become final 21 days after the meeting deadline, unless an appeal is filed. If an appeal is filed, it will be forwarded to the appropriate legislative body for final action.

The appeal forms are located in our office, on the back table and on our website.

PLANNING STAFF RECOMMENDATION

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

CONDITION:

1. Submission of a site plan to be approved by the City Engineer’s office and OMPC prior to building occupancy.

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 within a
Business/Industrial Plan Area, where general business and light industrial uses are appropriate in general locations;

3. The subject property lies within an existing area of mixed general business and light industrial uses;

4. The Comprehensive Plan provides for the continuance of mixed use areas; and,  

5. The proposed land use for the subject property is in compliance with the criteria for a Business/Industrial Plan Area and a B-5 Business/Industrial zoning classification.

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

CHAIRMAN: Anyone here representing the applicant?

APPLICANT REP: Yes.

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

(NO RESPONSE)

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

(NO RESPONSE)

CHAIRMAN: If not the chair is ready for a motion.
MR. APPLEBY: Motion for approval, Mr. Chairman, based on the Staff Recommendation with the single condition and Findings of Fact as listed through 5.

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

MR. ROGERS: Second.

CHAIRMAN: We have a second by Mr. Rogers.

Comments or questions on the motion?

(NO RESPONSE)

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

(BOARD MEMBERS BEVERLY McENROE, DAVE APPLEBY, WARD PEDLEY, JOHN KAZLAUSKAS, LARRY BOSWELL, IRVIN ROGERS AND LARRY MOORE RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous.

Next item, please.

MINOR SUBDIVISION PLATS

ITEM 4

5804, 5832 Jack Hinton Road, 3.686 acres
Consider approval of minor subdivision plat.
Applicant: Jeffrey K. & Kristy A. Fulkerson

MR. NOFFSINGER: Mr. Chairman, this plat has been reviewed by the Planning Staff and Engineering Staff. It's found to be in order. It does come to you as an exception to the subdivision regulations and
Brian Howard is here to describe what those sections are.

MS. KNIGHT: State your name for the record.

MR. HOWARD: Brian Howard.

(BRIAN HOWARD SWORN BY ATTORNEY.)

MR. HOWARD: Mr. Chairman, this plan comes before you as an exception on the 3 to 1 rule for the larger parcel. It's an existing lot that is of pretty good size and they're proposing to create a one acre parcel around an existing home. They have noted on the plat that they will not be further subdividing without meeting the requirements of the subdivision regulations. So in essence you do get one additional building lot, but no further divisions will be possible.

So with that we would recommend you consider it for approval.

CHAIRMAN: Anyone in the audience have any comments or questions on this item?

(NO RESPONSE)

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

(NO RESPONSE)

CHAIRMAN: If not the 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: 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.

ITEM 5

2124, 2200 Locust Street, 0.354 acres
Consider approval of minor subdivision plat.
Applicant: Phillip & Jennifer Blair

MR. NOFFSINGER: Mr. Chairman, this plat has been reviewed by the Planning Staff and Engineering Staff. It's found to be in order. It does come to you as an exception to the subdivision regulation and Brian Howard is here to describe what those exceptions are.

MR. HOWARD: Basically we have a lot, two lots that have, they're undersized, but there's existing driveway that goes across the property line. So what they're proposing to do is move the property line over
so that the driveway will be all on the one property.
There are other lots in the vicinity that have similar
widths and there are actually lots in the vicinity
that are smaller in acreage than these. We are not
creating any new lots. Just basically cleaning up a
driveway that's going across the property line.

We would recommend you consider it for
approval.

CHAIRMAN: Is anyone here representing the
applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do you have any comments?

APPLICANT REP: No.

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

(NO RESPONSE)

CHAIRMAN: Commissioners, any comments or
questions?

(NO RESPONSE)

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

MR. KAZLAUSKAS: Motion to approve.

MR. REEVES: Second.

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

ITEM 6

11198, 11216 Old Leitchfield Road, 2.245 acres
Consider approval of minor subdivision plat.
Applicant: Kenneth & Ruth Greer

MR. NOFFSINGER: Mr. Chairman, this plat has been reviewed by the Planning Staff and Engineering Staff. It's found to be in order. It does come to you as an exception to the subdivision regulations and Brian Howard is here to describe what the exceptions will be.

MR. HOWARD: The exception here is that it exceeds the 3 to 1 requirement; however, they're taking the rear property line to the center line of the ditch. So it's following a natural boundary. It doesn't exceed the 3 to 1 by a great deal so we would recommend that you consider it for approval.

CHAIRMAN: Anyone here representing the applicant?

(NO RESPONSE)
CHAIRMAN: Commissioners, do you have any comments or questions?

(NO RESPONSE)

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

MR. ROGERS: Motion for approval.

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

MR. MOORE: Second.

CHAIRMAN: Second by Mr. Moore. 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 7

Consider approval of June 2014 financial statements

MR. NOFFSINGER: Mr. Chairman, each member has been mailed a copy of the financial statements. These financial statements do require your approval and we need your approval on these so that our auditor who is
currently working for us, which is Myrid Group, can finish the audit. They will be auditing the records. They're working on it now and they hope to have their report to you at your meeting in September.

CHAIRMAN: Do we need to postpone this?

MR. NOFFSINGER: No. You need to vote on these financial statements so they can finish their work.

CHAIRMAN: Commissioners, anybody have any comments on this item?

(NO RESPONSE)

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

MR. REEVES: Motion for approval.

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

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.

ITEM 8

Consider removal of Gary Noffsinger and previous commission member names from the BB&T OMPC credit card and addition of the Chairman, Vice-Chairman, Secretary and Director as persons authorized to dictate which
OMPC employees may use the credit card for OMPC related expenses.

MR. NOFFSINGER: Mr. Chairman, we do have a credit card in the office that is through BB&T. We've had this credit card for a number of years. I have my own credit card with my name on it, and then there's one corporate card. The card is used for official business. It's monitored by Sheila Moore in the office who takes care of our financial issues in-house. She pays the bills and whatnot. The director reviews all the bills that come through. The expenses are paid on a monthly basis. We do not carry forward any balance. That credit card is viewed by our auditors as well. So with that this is a housekeeping issue.

If you want to keep my name on the credit card, that would be great. I'll keep it, but I don't think you're going to want to do that.

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

(NO RESPONSE)

CHAIRMAN: I guess I need a motion and approval on this as stated by Mr. Noffsinger which you have in front of you. I think it's pretty well explained. I think all we need at this time is just a
motion for approval as stated by Mr. Noffsinger.

MR. APPLEBY: So moved.

CHAIRMAN: We have a motion by Mr. Appleby.

MR. MOORE: Second.

CHAIRMAN: Second by Mr. Moore. All in favor of the motion raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous.

Next item.

ITEM 9

Comments by the Chairman

CHAIRMAN: I'm going to hold my comments until after we go through these next items down here. Then I have some comments that I would like to do.

ITEM 10

Comments by the Planning Commissioners

CHAIRMAN: Commissioners, do you have any comments that you would like to state at this time?

(NO RESPONSE)

CHAIRMAN: If not then we'll go to the next item.

ITEM 11

Comments by the Director

CHAIRMAN: Mr. Noffsinger.

MR. NOFFSINGER: Thank you, Mr. Chairman.
First of all, I would like to go over the OMPC Performance Evaluation, as well as description of OMPC activity for fiscal year ending June 30, 2014.

Typically we mail these out to the commissioners ahead of time. I'm sorry, they did not make it into your packet. Each you do have a copy for your review.

What I'm presenting to you here tonight will go to the elected officials, each elected official, to let them know what our activity has been in the last year, as well as the results of our performance evaluations.

I'll start off by looking at the planning applications. Last year zoning change applications we had a total of 30. All 30 of those applications were recommended for approval by this body. We had 2 zoning text amendments. We had 155 minor subdivisions approved. Final subdivisions, and these would be your plats that are in larger developments such as the Deer Valley development, we had 14 of those.

Conditional use permit applications that are considered by the Board of Adjustment we had 18. All 18 of those applications were approved.

Variance applications, we had 11 of those.

Those are considered by the Board of Adjustment. Out
of those 11 we did have one application that was

denied.

In the building department, new residential

single-family we had 211 permits.

Residential Other, this would be like garages,
carports, room additions, we had 358 permits.

We had a total of 979 building permits, 1,203
electrical permits, and 283 HVAC, heating ventilation,
cooling permits.

Our total building, electrical and mechanical

inspections, we had 5,903 inspections. Those almost
6,000 inspections are handled by the three full-time,
primarily the three full-time inspectors that you will
meet here tonight.

So I'm very proud of the activity, the amount
of work that your staff handles during the day. It's
a very lean staff in terms of numbers, but I can tell
you they're very efficient and they get the job done.

On our performance evaluations, which we've
been sending these out with all building CO's, as well
as electrical certificates, we received a total of 38
back. We sent out many more. I can tell you the
satisfaction rating on that was 100 percent.

We asked two questions. "Were you treated in

a professional manner while in our office and/or out
in the field?" All 38 of those evaluations our
customers said, "Yes, they were treated
professionally."

The second question we asked is, "Were all
issues explain in a satisfactory manner?" In all 38,
the answer was, "Yes."

I have provided you a copy with the written
comments, which folks are allowed to make comments, if
they would like. They can sign the evaluation or they
don't have to sign it, but we do appreciate getting
those evaluations in. I'm not going over the
comments. I can tell you with the 38 we received, I'm
very pleased and be glad to answer any questions you
might have.

CHAIRMAN: Mr. Noffsinger, thank you very
much.

Commissioners, do you have any comments or
questions on the performance evaluation or this board?

MR. MOORE: Mr. Noffsinger, what kind of
numbers did you send out? You got 38 back out of?

MR. NOFFSINGER: Several thousand. Anyone
that comes into the office has an opportunity to fill
out one of these forms and put it in the drop box.

MR. MOORE: Is there any way that you can
perhaps get more returns besides begging?
MR. NOFFSINGER: Perhaps if we offered food that might work. It's really tough. When folks come in the office, the Staff has been instructed to hand them an evaluation form. Many times they're repeat customers. They don't want to continue filling out an evaluation form or they just say, look, I don't want to fill that out.

We do send it out with all the electrical certificates and building occupancies. Many are repeat customers because they're home builders, contractors that are doing work with us on a daily basis, weekly basis. They have the opportunity to mail it in, drop it off or they can fax it or e-mail it to us. So there are many ways we can get it back. Unfortunately, we just don't get as many back as we would like.

CHAIRMAN: And I'm guilty. I get these and I don't bother to fill them out and send them back in. I should. I wish everyone would. I assure you all my comments would be great.

Commissioners, any other comments on this issue?

MR. KAZLAUSKAS: Just one. I wish we could get the word out to the public, and I don't know how to do it, how fortunate this community is to have
personnel on hand to do these HVAC permits. We're one of the few, if maybe not the only one that I know of. We're one of the few in the state that provides this service to our community, and it certainly helps the builders in our community in a very time manner when they don't have to wait for someone from the state to come in and inspect that. This is a service that our staff provides that I think is outstanding and I wish we could get that word out to our community members where they could understand what a great benefit this is to us.

CHAIRMAN: Anyone else?

MR. BOSWELL: Just a quick comment. Out of that 5,903, that's over 1,967 per inspector, if all three of them are doing it. That's an awful lot of inspections. They had to be doing a great job to get that many and working very hard to take care of that many inspections. I commend them for that much work. That's hard.

CHAIRMAN: Thank you. Anyone else have any comments or questions on this issue?

(NO RESPONSE)

CHAIRMAN: If not I think it's a great report.

Mr. Noffsinger, thank you very much.

MR. NOFFSINGER: Now we get to have some fun,
Mr. Chairman. We get to go through the "Consider the following Personnel Appointments."

What I would like to do here tonight would be to call the employees up individually. They're going to introduce themselves and tell you a little bit about what they do. Then they will receive a recommendation and then you will vote on them individually for appointment.

The Staff is really looking forward to this. They're all here. They're looking sharp. Let's get going.

Mr. Chairman, the first personnel appointment will be Brian Howard as the regular full-time employment to the position of Associate Director and Planning.

MR. HOWARD: A little bit of background about myself. I've been with the Planning Commission about ten years. I've served as associate director for a little over year. I was a senior planner prior to that. Here in about two or three weeks I'll be the new director. I appreciate the opportunity there certainly.

As a side note, just to let you all know as I'm moving into that role, I'm going to have to advertise for some planners. We only have Melissa
that will be on Staff that will be our planner with my
promotion. I'll be advertising probably on APA and
through the State Planning Association website for at
least one planner, maybe two. We have a couple of
vacant spots at this point. Just to kind of let you
all know what my plans are there.

As far as my background goes, I have a
master's from Western Kentucky University in geography
with an emphasis in city regional and transportation
planning. I got that in 2001. I'm AICP certified.
That's American Institute of Certified Planners. So
that's really the highest certification you can get
within our field.

In the office I basically manage the
day-to-day operation of the planning department,
whether it be the items that come before you all, the
Board of Adjustments. I have a hand in any and all of
that. Melissa and I work together as a team. I do
GIS mapping and lots of other things. Talk to
customers certainly. Somehow the phone calls take up
a good bit of the day.

That in a nutshell is what I do and my
background and experience. Like I said, certainly
looking forward to serving as director here in the
next couple of weeks.
MR. NOFFSINGER: Mr. Chairman, Brian, I just want to say that it has been a pleasure to have worked with Brian and to get to know him over the years. I can tell you in working with him, I found him to be very proficient in what he does. He's always eager to learn and do what's right.

I can remember the day that he was interviewed for his position to come here. Then I felt like, you know, we're really lucky to be able to bring Brian on board. Today I can say, we're certainly lucky and I'm proud to have Brian coming on as the new director.

The reason we're going through all this, by the way, is the personnel policies were revised. It used to be that all of our employees were at will employees. They had no protection whatsoever. Really they were at the mercy of the director. With the new personnel policies that you've adopted, the personnel have to be recommended by the director to you for a full-time employment. Then you have to vote to make that regular appointment, and then they become regular employees.

That's why we're going through this. I know these employees. Many of them have been here for years, but that is to explain the reason why we're going through this.
Brian, I want to thank you for your service to the Commission and for making me look good for several years. I certainly recommend you for permanent employment as the position of Associate Director of Planning.

CHAIRMAN: With that do we want to go ahead and a have motion for approval?

MR. NOFFSINGER: Yes, sir.

CHAIRMAN: Commissioners, we're ready for a motion to approve Mr. Howard.

MR. APPLEBY: I move to approve Mr. Howard.

MR. REEVES: I'll second this very short-term employment.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous.

Mr. Noffsinger, the next.

MR. NOFFSINGER: The next appointment would be Melissa Evans - Regular, full-time employment to the position of Planner 1.

MS. EVANS: I'm Melissa Evans. I started with the Planning Commission in 2005 as a receptionist/clerk. I was appointed to the Planning
Technician and now to the position of Planner 1. I received my bachelor's degree and interdisciplinary studies from Western Kentucky University in 2008, and in 2012 I became AICP certified.

On a daily basis I work with Brian. We review all applications that come into the office that go before the Board of Adjustment and before the Planning Commission. We review all plats that come into the office, development plans and such. I also input, maintain the planning parcel for our GIS system and I'm also the 911 address coordinator. Along with that I maintain all of the surety files, landscaping and public improvement surety files that we have in our office and do the acceptance and releases of those as well.

I work with Brian, like I said, as a team. I'm excited to move forward with this next chapter and appreciate all the opportunities that I've been given by Mr. Noffsinger.

MR. NOFFSINGER: Mr. Chairman, I'm most proud of Melissa. She has come a long way. You know, sometimes your best employees are those you go out, you find and you just put them in a simple position and they show the dedication and the hard work and they want to take it a step further. Melissa has
shown that. I didn't really want to get emotional tonight so bear with me.

I'm proud of all the employees. To see Melissa come from where she did to where she is now and where she will go in the future with this organization is just outstanding. Any time you give her a task, she takes it. She's eager to do it. She does it to the best of her ability. Wants to know what can I do next. I've been most appreciative of that.

With that I'm proud to recommend Melissa for this position, but first of all I want to out of respect as incoming Director Brian Howard what his recommendation is.

MR. HOWARD: I would certainly concur.

CHAIRMAN: Commissioners, we're ready for a motion to appoint Melissa for a full-time position.

MR. KAZLAUSKAS: I make a motion that she be approved. I will ask Mr. Gary Noffsinger or maybe Mr. Howard.

I know you said you're going to have to hire another planner. It's not going to hurt her feelings if someone else comes in and does some of the work, is it?

MR. HOWARD: I'm sure we'd all be glad to have
a little extra help in the office.

MR. KAZLAUSKAS: With that I make a motion that her appointment be approval.

MR. BOSWELL: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous.

Mr. Noffsinger.

MR. NOFFSINGER: The next employee is Sheila Moore - Regular, full-time appointment to the position of Secretary.

MS. KNIGHT: Ms. Moore, would you state your name for the record, please.

MS. MOORE: Sheila Moore.

(SHEILA MOORE SWORN BY ATTORNEY.)

MS. MOORE: I'm Sheila Moore and I'm the secretary. I've been here 12 years. I compile all the financial information for the bookkeeper and auditor. I'm back up for the receptionist. I answer the main phone line that comes in and try to get all the customers where they need to be.

MR. NOFFSINGER: I don't know whose idea it was to do this.

I've worked for Sheila a number of years. She
has been my assistance for pretty much most of the time I've been director. I can tell you that she knew a lot before she came to the Planning Commission. She's kept me out of a lot of trouble. She's very efficient in what she does. She works with our auditors. She takes care of our financial bookkeeping in the office and does a tremendous job. If you remember last year, our auditors gave her glowing reviews on her work, how organized the files were, receipts. Anything they asked for, they had it. Sheila has been a pleasure to work with over the years. She is ready to assist in any way she can. She is very knowledgeable. She comes from a banking industry so she's very knowledgeable of financial issue. So with that I'm going to ask Brian Howard if it's his recommendation to appoint her to this position.

MR. HOWARD: Yes, I would. I look forward to her keeping me out of trouble as well.

MR. NOFFSINGER: I concur with that,

Mr. Chairman.

CHAIRMAN: To add to what Mr. Noffsinger stated, she's always smiling.

MR. NOFFSINGER: Definitely.

CHAIRMAN: Commissioners, we're ready for a
MR. MOORE: Mr. Chairman, I move to approve for that position. Again, she does a great job, but I really like the name.

CHAIRMAN: We have a motion by Mr. Moore.

MR. ROGERS: Second.

CHAIRMAN: Second by Mr. Rogers. All in favor of the motion raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous.

MR. NOFFSINGER: Jim Mischel - Regular, full-time appointment to the position of Associate Director for Building, Electrical and HVAC.

MS. KNIGHT: Mr. Mischel, would you state your name for the record, please.

MR. MISCHEL: Jim Mischel.

(JIM MISCHEL SWORN BY ATTORNEY.)

MR. MISCHEL: Just in case you're giving out any awards tonight, I'll get the one for being here the longest.

I started in 1984 with the Planning Commission. Way back I started out in property maintenance. That's existing housing and everything. Eventually got my building inspector's license. You'll hear Level 1, Level 2, Level 3 tonight from a
lot of the guys here. I started out at Level 1, which
is residential building. Went up to Level 2. That
means you can inspect commercial buildings. Level 3
is the highest you can go, and that's planning review
for the state.

At that time when we got planning review, we
asked the state to give us, expand the jurisdiction,
which they did. Instead of all the contractors,
architectures going to Frankfort, they stayed here and
we did the planning. Ever since 1986 I think, we've
been doing the planning review for the state here.
It's worked out very well here. Everybody seems to
like it. Most people seem to like it.

I would like to say that, and I think
everybody has complimented the Staff, but a lot of the
Staff, you know, they done don't get that. They work
every day and they do a good, good job. I would like
to say the Planning Commissioners, they have been
supporting us for some time now, which that's good to
know. It's good to know somebody is out there, you
know, supporting us.

MR. NOFFSINGER: Mr. Chairman, of course, I've
known Jim probably as long as anyone on the Staff. I
can tell you, which you already know, that Jim is a
true asset to the Planning Commission, as well as this
community. I made a statement once that, you know, we're sure fortunate to have Jim here. He sure has been good and loyal to the OMPC. Then someone reminded me that the OMPC has been good to Jim Mischel as well. I can tell you he's the guy that I relied on for a number of years in the zoning and building department. That's a tough place to be. That spot as associate director, you're dealing with zoning enforcement. You're dealing with permitting. It is a tough position. I found Jim to be very even-tempered, very willing to assist customers and to help. I know on many occasions I've tried to ruffle his feathers. I tried to get Jim to go after me. He won't do it. He's a good guy. He's a good man to have on the Staff. I certainly appreciate his work all these years. I'm sure that Brian would agree as well. I don't know how much longer he's going to be with you. If I know Jim, it's probably going to be quite a while longer.

MR. HOWARD: I'd be glad to recommend him. I agree with Mr. Appleby, maybe a five year contract.

MR. NOFFSINGER: With that, Mr. Chairman, I recommend his regular full-time appointment to Associate Director of Planning.

MR. KAZLAUSKAS: Mr. Chairman, just one
question of housekeeping question. I'm sure our attorney is has gone over this.

Becoming a full-time appointee, does this have any impact on past retirement?

MS. KNIGHT: It does not.

MR. KAZLAUSKAS: It does not. I know under some KRS's there are some things you have to be careful about, but it does not impact that in any way.

MS. KNIGHT: It does not, no.

MR. KAZLAUSKAS: Good. That's good to hear.

MR. REEVES: I move that we appoint Mr. Mischel.

MR. APPLEBY: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous.

MR. NOFFSINGER: Next is Allan King - Regular, full-time employment to the position of Building/Electrical, HVAC inspector.

MS. KNIGHT: Mr. King, would you state your name for the record please.

MR. KING: Allan King.

(ALLAN KING SWORN BY ATTORNEY.)

MR. KING: I'm a 25 year veteran of the
Planning Commission. I started out as a rehabilitation specialist in the Community Development Department, which is with the city now. Now I'm a field inspector. I practice the arts of building, electrical and HVAC inspections.

MR. NOFFSINGER: Mr. Chairman, I've known A.K. just about as long as I've known Jim. I can tell you when it comes to field inspections and enforcing the building code, the electrical code, A.K.'s heart is in the right place. He's very knowledgeable of the code. He's out there from morning to late afternoon getting his inspections done, and he wants to make sure he does them right.

It's my recommendation that he stay for many, many more months and years because quality inspectors are hard to find. Folks that know the code and can go out and make an inspection and to handle as many inspections as he and these other inspectors handle on a daily basis, it takes folks that know what they're doing. I can tell you that A.K. does.

Brian, what is your recommendation?

MR. HOWARD: I would recommend A.K. be accepted for full-time employment.

MR. NOFFSINGER: And I concur, Mr. Chairman.

MR. BOSWELL: Mr. Chairman, I move for
approval of Allan King for regular, full-time 
appointment.

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

    MR. KAZLAUSKAS: Second.

    CHAIRMAN: Second by Mr. John Kazlauskas. All 
in favor of the motion raise your right hand.

    (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

    CHAIRMAN: Motion carries unanimous.

    MR. NOFFSINGER: Next employee is John 
Pickrell for the regular, full-time appointment to the 
position of Building/Chief Electrical/HVAC Inspector.

    MS. KNIGHT: Mr. Pickrell, state your name for 
the record, please.

    MR. PICKRELL: John Pickrell.

    (JOHN PICKRELL SWORN BY ATTORNEY.)

    MR. PICKRELL: I've been with the Planning 
Commission 18 1/2 years. My daily duties, actually my 
title is the Chief Electrical Inspector, but I also am 
a field inspector for electrical, HVAC and building. 
My daily duties are inspection, of course. I also see 
that the guys are going in the right direction. They 
all have areas and we all work together in designating 
who is going where. We swap things around so we can 
accommodate the different times that we have. We have
issues sometimes with trying to meet the demands of
being there at a certain time. We all get together
in my office and resolve that.

    Basically my background is electrical. I've
been in the electrical trade for 42 years in some sort
of form and fashion. I enjoy working here. It's
really been a good place.

    MR. NOFFSINGER: Mr. Chairman, John is one of
those employees that makes you look good every single
day he's out there on the job. You've received
numerous letters from folks from Tuner Construction,
the hospital project, and others about how John was
ready to help. He was out there on times the office
was closed to make inspections. He's just really the
type of employee that works with the customers. John
is quite a comedian. He might not know it, but he is.
He's well respected with the Staff. He's certainly
asset to this commission.

    Brian.

    MR. HOWARD: I would recommend that John be
appointed to full-time employment.

    MR. NOFFSINGER: And I concur.

    CHAIRMAN: Ready for motion.

    MR. REEVES: Motion for Mr. Prickrell to be
moved to full-time employment.
MR. ROGERS: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous.

MR. NOFFSINGER: Next employee is Kyle Trunnell - Regular, full-time appointment to the position of Plan Reviewer.

MS. KNIGHT: Mr. Trunnell, please state your name for the record.

MR. TRUNNELL: Kyle Trunnell.

(KYLE TRUNNELL SWORN BY ATTORNEY.)

MR. TRUNNELL: I've had the honor of serving with this organization for 16 years. Prior to it or my initial was building inspecting. Like Jim mentioned, I've traveled up through the different testing that we take and became a general electrical inspector also. Now I currently several as the plan Reviewer Level 3, which is what Jim mentioned was the highest level. I do review for code compliance with building codes, heating ventilation and cooling, and also electrical. Also assist with answering or researching code questions and other questions that make them up based on Plan Review that I've previously done with field inspectors on a daily basis.
MR. NOFFSINGER: Mr. Chairman, Kyle is a very proficient Plan Reviewer. In fact, I would say that Kyle is one of the most efficient Plan Reviewers in the State of Kentucky. Through his efforts we're able to do plan reviews in just a few days, where it takes other communities that have to rely on the State of Kentucky weeks, if not months, to have their plan review completed. Kyle is dedicated at research. He wants to get the information. He wants to do what he believes is right.

Brian, what's your recommendation?

MR. HOWARD: I would recommend Kyle be accepted for full-time employment.

MR. NOFFSINGER: And I concur.

CHAIRMAN: Chair is ready for a motion for Kyle.

MR. APPLEBY: Motion for approval.

CHAIRMAN: We have a motion for approval.

MR. BOSWELL: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous.

MR. NOFFSINGER: Next employee is Dennis Thurman - Regular, full-time appointment to the
position of Building/Electrical/HVAC Inspector.

MS. KNIGHT: Mr. Thurman, would you please state your name for the record?

MR. THURMAN: Dennis Thurman.

(DENNIS THURMAN SWORN BY ATTORNEY.)

MR. THURMAN: Hi, I'm Dennis Thurman. I've been with OMPC for a little over ten years. Started out as an electrical inspector. I had my certificate a number of years before I took the job. I did eventually become a Level 2 building inspector.


MR. NOFFSINGER: Dennis, is a very proficient field inspector. I don't get to spend a lot of time with Dennis because Dennis is out in the field most of the day. He's one of the first, if not the first, inspector out in the field in the morning and then he doesn't get back until the afternoon. He comes to this commission or did and certainly more knowledgeable today than when he arrived. He brings a wealth of knowledge to this commission. We rely on him on a daily basis to complete some 6,000 inspecting that we do on a yearly basis. Without his service and
qualifications we would be hard-pressed to do that.

Brian, what is your recommendation?

MR. HOWARD: I would recommend Dennis be appointed for full-time employment.

MR. NOFFSINGER: And I concur.

CHAIRMAN: We need a motion for Dennis for approval.

MR. BOSWELL: Motion for approval for Dennis for regular, full-time employment.

CHAIRMAN: We have a motion for approval.

MR. REEVES: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous.

MR. NOFFSINGER: Mathew Warren - Regular, full-time appointment to the position of Building/Electrical HVAC Inspector/Plan Reviewer Trainee.

MS. KNIGHT: Mr. Warren, would you state your name for the record, please?

MR. WARREN: Mathew Warren.

(MATHEW WARREN SWORN BY ATTORNEY.)

MR. WARREN: I started with the Planning Commission in 2007. I basically started out as the
assistant to the Associate Director of Building.

My tasks include working with customers when they come in. Helping them get their building and electrical and HVAC permits. I help with floodplain coordination, zoning enforcement. Anything and everything that walks through the door, if I can help with it, that's what I'm there for.

Just like the rest of these guys, I got my building inspection certification for Level 2 family, commercial and planning review. I also manage to get my electrical certification for electric inspection. Just like the rest of the guys, I'm HVAC certified as well.

MR. NOFFSINGER: Mr. Chairman, when Matt came to the Planning Commission, I'm not sure what he was qualified to do. He really didn't have a lot of qualifications except he knew construction. He brought to this Commission the knowledge of the construction industry because he had been in construction since he was a little kid. He'd been out there in the field. He'd been digging trenches. He'd been laying concrete. He brought that knowledge to the Commission. I can tell you I'm very proud of his accomplishments since he's been there. He's the one that came to the Commission, just like Melissa.
Didn't have a lot of qualifications, but he earned them while he was with the Staff. He worked with each of the field inspectors, the management staff to gain the knowledge and the qualifications he needed. He's received all the qualifications to be an inspector, a plan reviewer, as well as to be an electrical inspector. I can tell you this: His office is right across from my office. On a daily basis, I can hear customers interacting with him and he interacting with them. He gets a lot of customers. Just about I'm going to say probably 50 percent of the customers that walk through that door, maybe more, see Mathew Warren. Mathew you sits down with those customers. He takes the time that is necessary to explain and answer questions they may have. I can tell you, that skill set he has is an asset to this Commission. I don't hear any complaints on Matt Warren. Matt Warren, when a customer comes in, he sits down with them, he explains it, and they leave with the knowledge they need to move forward.

Brian, what's your recommendation?

MR. HOWARD: I would recommend Matt be accepted for full-time employment.

MR. NOFFSINGER: And I concur.

CHAIRMAN: We're ready for a motion for Matt
MR. ROGERS: Motion for approval.

CHAIRMAN: We have a motion for approval.

MS. McENROE: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous.

MR. NOFFSINGER: Next is Rick Thurman - Regular, full-time appointment to the position of Building/Electrical/HVAC Inspector.

MS. KNIGHT: Mr. Thurman, would you state your full name for the record, please?

MR. THURMAN: Rick Thurman.

(RICK THURMAN SWORN BY ATTORNEY.)

MR. THURMAN: My name is Rick Thurman. I started with OMPC in 2013, January of 2013. I've been with them 19 months.

I am a Level 2 building inspector. When I came on I had my electrical inspector certificate in hand. In the 19 months since, I've gotten the residential certification and mechanical and residential, Level 1, Level 2 certifications in building.

My day-to-day activities are, as the other
inspectors, I get my assignments and I make my field inspections on rough-ends, and trim-outs, and whatever else is asked of me. I like to get out early. I like to get to the customers as quickly as possible because to me it's always an urgency to do so.

Prior to coming to OMPC, I started in the electrical field in 1977. I went through an IBEW apprentice program. Topped out of that. My brother and I went in business for a short period of time. Then I got on with OMU. I retired with them in 2011. Then got pretty excited to get on with OMPC in 2013.

Again, I've held an electrical certificate since 1988 and took all that time to start using it. Quite excited about being here.

MR. NOFFSINGER: Mr. Chairman, I have not had the opportunity to work with Rick Thurman for very long, but I can tell you in the amount of time that I have worked with him I believe he's one of the most respectful human beings I have ever met. He is an excellent example of customer service. He brings a lot to the OMPC. Brings a lot of knowledge to the OMPC. I think the future for OMPC with Rick is very bright. I've got a question for Rick.

When you came to the Planning Commission you already had your electrical inspector's certification.
You didn't have your building?

MR. THURMAN: No, I did not.

MR. NOFFSINGER: How easy is it to get that building certification?

MR. THURMAN: A lot of work. You fail a few tests and you get lucky on some. It's a lot of work to get to it. A lot of studying, a lot of asking questions, and a lot of preparation, and a lot of learning.

MR. NOFFSINGER: It is tough. Rick will tell you, it's not something you can just walk in, walk through the door and say, well, I'm ready to do the job. Give me my license. The testing is tough. The study is tough. He's very knowledgeable, bright individual, but it's very tough.

Brian, what's your recommendation?

MR. HOWARD: I would recommend Rick be accepted for full-time employment.

MR. NOFFSINGER: And I concur.

CHAIRMAN: Chair is ready for a motion for Rick Thurman.

MR. APPLEBY: Motion for approval.

CHAIRMAN: We have a motion for approval.

MS. McENROE: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous.

MR. NOFFSINGER: We save the best for last.

Jennifer Logsdon - Regular, full-time appointment position of Receptionist/Clerk.

MS. KNIGHT: Mrs. Logsdon, would you state your name for the record, please?

MS. LOGSDON: Jenny Logsdon.

(JENNIFER LOGSDON SWORN BY ATTORNEY.)

MS. LOGSDON: My name is Jenny Logsdon. I started with OMPC July 1, 2013. Been there a little over 13 months. I started as receptionist and just basically handling basic receptionist duties. Helping with customers that walk through the door, answering the phone, scheduling inspections communicating with the inspectors on a day-to-day basis. We call each other throughout the day so I can let the contractors or homeowners know when they're going to be there to do the inspection. We kind of help each other stay on schedule. I make a lot of phone calls to them whether they want my phone call or not. I add to their daily stress and their daily workload a lot, but we work very closely with them.

I also work very closely with these Sheila.
We kind of back each other up when we go to lunch or when one or the other is not there. Recently I started putting in building, electrical, HVAC permits, issuing those, taking payments, and just basically scheduling inspections and making sure that everything flows properly, as far as the inspection schedules go. Each day we have a very big workload here lately. It seems that the permitting has increased. I've kept these guys busy with their day-to-day inspections.

I really like working there. It's definitely a learning process. You come across something new every day and eager to learn more and see what the future holds for what I can continue to do.

MR. NOFFSINGER: Mr. Chairman, Jennifer, when she interviewed for the position, she talked about she did not like to sit idle. She didn't like her mind to be idle for any length of time. So you get what you ask for. It's a workload. Sometimes it's pretty tough.

The position that Jennifer is one that is very important to this organization because she's the first impression many people have us. When they walk through the door, they're going to meet her and she's going to get them to the appropriate staff person. She brings a lot of knowledge to the organization in
terms of working through the court systems. She's very efficient at running that front desk and the front counter. I haven't had the opportunity to work with her for very long, but I can tell you I can hear how she interacts with our customers and have been very pleased since she's been on the job in terms of how she interacts with them.

Mr. Howard, what's your recommendation?

MR. HOWARD: I would recommend Jenny be accepted for full-time employment.

MR. NOFFSINGER: And I concur.

CHAIRMAN: I need a motion for Jennifer Logsdon.

MR. ROGERS: Motion to approve.

CHAIRMAN: We have a motion for approval.

MR. REEVES: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous.

I think that concludes everyone. I want to take this opportunity to talk a little bit about the entire staff.

I've been involved in the construction business for 55 years. I've worked all over the State
of Kentucky, Evansville, Newburgh, Henderson,
Madisonville, Elizabethtown, Central City, everywhere.
I can tell you we have the best right here without any
doubt. This is the best organization in the State of
Kentucky. Like Gary, it's hard for me to talk about
this and not get emotional. I've worked with
everyone. Everyone sitting there has been on my job
or I've worked with them in the office. They're very,
very professional. I don't think it can get any
better.

And how did this come about? This gentleman
right here put all of that together. I got a lot to
say after a few a seconds. I'll give the
Commissioners a chance and then I want to talk about
Mr. Noffsinger.

Commissioners, do you have any comments on the
Staff and the inspectors?

MR. REEVES: We hired them. I think that
speaks volumes. I've had a chance to in the office
quite a bit. Before we were forbidden to do
ride-along's, I got to do a ride-along with Dennis
which was quite an experience. Any time I go to Home
Depot I get really get good service. They are
terrific. As I've served on this Commission, I've
grown to appreciate what they do and how well they do
As you said, Mr. Chairman, that's credit to Gary. Gary found them. Gary hired them, and Gary supported them.

I appreciate what you did. You leave this organization in wonderful shape.

MR. NOFFSINGER: Thank you.

MR. KAZLAUSKAS: Mr. Chairman, I just want to make a statement.

Some months ago Gary and I had a long conversation about the way the employees of our organization were hired and the way that they worked as at will employees. At that time, you know, I did a little research. I could not find any other agency within our community that had any employees working as at will employees.

I want to thank Mr. Noffsinger, our chair, Mr. Ward Pedley, and the members of our committee and then this whole commission. I know this has been somewhat lengthy tonight, but it's one of those things that needed to be done. The committee that worked on changing the by-laws and personnel policy saw the need, brought it to the committee. It was approved. I think it's a tremendous step in the right direction and something that needed to be done years ago. I'm
for one glad to see it take place tonight. Thank you very much.

CHAIRMAN: Anyone else?

MR. APPLEBY: If I added this up correctly, I think we've got close to 130 years of experience in this group over here. I'd say it'd be hard-pressed anywhere in the state to find a more qualified staff. Pretty glad to have you.

CHAIRMAN: Anyone else?

(NO RESPONSE)

CHAIRMAN: This is Mr. Noffsinger's last meeting with us. We're not running him off. It's by choice. It's sad for me.

I've been working with Gary for about 22 years now. I've been on the Board of Adjustments for 20 years.

Twenty-six years ago Gary Noffsinger came from Western, Bowling Green. I think Roger Anderson hired him. He didn't have a clue what he was doing.

MR. NOFFSINGER: That's right.

CHAIRMAN: He got in there. He climbed that ladder and he worked and worked and kept climbing and kept coming and coming. Finally, he took on the toughest job in this community, Planning Director, and he's done a great job. Gary and I have had a lot of

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conversations. Sometimes we agreed. Sometimes we
didn't. Sometimes he'd like to put the boot to me and
I'd like to put the boot to him, but that's what makes
a good organization. Any organization has got a good
foot plan, but that plan has got to have a leader.
This man put together a good plan.

Gary, if you'll stand with me, I would like to
present you with something here.

"N appreciation of Gary Noffsinger, AICP, for
his dedicated service to the citizens of Owensboro,
Whitesville, Daviess County, Kentucky as Planning
Director of the Owensboro Metropolitan Planning
Commission from 1988 to 2014 presented in friendship
by his OMPC colleagues on August 14, 2014."

Congratulations.

With that if someone else has comments you're
welcome. If not, then the next thing will be a motion
for adjournment. Anyone like to have any comments
about Gary?

MR. BOSWELL: I would, especially about Gary,
as well as Brian and the entire Staff.

I've been on the board, I guess, a year and a
half. When I first was appointed to the Commission, I
was told Gary is the individual that I needed to get
with to go through orientation. Gary spent four hours
with me in one day doing a fantastic job of helping me through the orientation of how this commission works and how planning and zoning works and who does what, and Brian as well, as many of the others out here. I can tell you, since that time I have come to greatly respect the work that Gary and Brian and all the entire staff do because they work very, very hard to try to do the very best job for this community. It's a public relations job as well as a detailed job. I don't know that, I know there was mentioned, that there's a city in the State of Kentucky that has a finer, better more professional planning and zoning group than this one. It's all because of leadership and folks like Gary Noffsinger, and Brian, and the Staff, that supports this entire commission.

I would like to congratulate all them. They do an outstanding job.

MR. NOFFSINGER: Thank you.

CHAIRMAN: Anyone else?

MR. KAZLAUSKAS: Gary, I just want to say, I want to thank you for your service to the community. It's a difficult chair that you've sat in over these past few years. I think those of us up here realize that. It wasn't easy.

The thing that I can say about Gary, since
I've been on this commission, is when I asked a
question of Gary I got an answer. I always didn't
like it, but he was very honest with me. I never had
to wait. He was very attentive to all my questions
and I appreciate that.

Gary, as one who has retired, I'm going to
tell, you're going to enjoy it. We wish you all the
best.

MR. NOFFSINGER: I would like to say thank you
to each of these commissioners, as well as those from
the past. I couldn't do what I've done, you wouldn't
have this staff out here without the support of these
commissioners, as well as those who have served in the
past. To be a commissioner, a planning commissioner,
it's nonpaid. It's a thankless job. It's hard to
find people that really truly want to do it and do it
for the right reasons. I feel good going forward. I
leave at a perfect time. Got a great leader coming
on. You've got a great commission here. You've got a
great staff. With that I think the future is very
bright. I see ten individuals here, well, only eight
right here, of the Planning Commissioner, but with the
other two, I see ten individuals that can work
together, should work together for the betterment of
this community. Support your staff. You've got a
great thing going and it's been built over the years. It did take leadership, but it wasn't just one person in the leadership position. It was many, as well as this commission. Thank you for the opportunity. Thank this community for the opportunity to serve. Look forward to great times in the future.

CHAIRMAN: Anyone else before we adjourn?

(NO RESPONSE)

CHAIRMAN: If not we need a motion to adjourn.

MR. APPLEBY: Move to adjourn.

MR. BOSWELL: Second.

CHAIRMAN: We have a motion and a second. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: We are adjourned.

(Deposition ends at 6:35 p.m.)

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STATE OF KENTUCKY )
)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 52 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the 10th day of September, 2014.

LYNNETTE KOLLER FUCHS
NOTARY ID 433397
OHIO VALLEY REPORTING SERVICES
2200 E. PARRISH AVE, SUITE 106E
OWENSBORO, KENTUCKY 42303

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