The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, December 10, 2015, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: Fred Reeves, Chairman
Larry Boswell, Vice Chairman
Steve Frey, Secretary
Brian Howard, Director
Terra Knight, Attorney
Ward Pedley
John Kazlauskas
Lewis Jean
Beverly McEnroe
Manuel Ball
Larry Moore
Irvin Rogers

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CHAIRMAN: Call the December 10, 2015 meeting to order of the Metropolitan Planning Commission to order. We start each of our meetings with a prayer and pledge to the flag. Mr. Irvin Rogers will do that for us this evening. If you could stand, please.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: Thank you.

Let me make a couple of statements before we start our agenda.

First of all, if you choose to speak on any
issue, and anyone is invited to speak on any issue they would like to, we'd ask that you please come to the mike and be sworn. This is kind of like a judiciary hearing. We're listening to hear what folks have to say, garner facts from them. So we don't take comments just out of the audience. We ask you to come to the mike and direct your questions and your comments to the chair and then we'll feed those out to the appropriate staff member or the appropriate board member.

Also, Board Members, remind you to get close to the mike to make sure she has accurate recording of the meeting.

Having said that, all of you received a copy of the minutes in the mail. Hope you've had a chance to review them. Do we have any corrections or additions to the minutes?

(NO RESPONSE)

CHAIRMAN: If not, the chair will entertain a motion.

Mr. Kazlauskas.

MR. KAZLAUSKAS: Move that we approve.

MR. MOORE: Second.

CHAIRMAN: Second by Mr. Moore. All in favor raise your right hand.
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The minutes are approved.

We're going to change a couple of items this evening to make it easier on the folks who came to the meeting so you don't have to sit through a bunch of other issues.

First thing I'm going to do is Item Number 5, which had to do with the 3943 Highway 54 by Mount Moriah Holdings, Mr. Howard, would you update us on that one, please.

MR. HOWARD: Yes. We received a request in the office for that item to be withdrawn. So that item is no longer on the agenda and will not be heard by the commission at this point. They may submit something at some point in the future, but that will require additional application and notice before that would take place.

CHAIRMAN: If anybody came for that issue, we'll let you have a chance to leave unless you'd like to sit through the entire meeting, which you're certainly welcome to do.

Also, Item 7 relating to a final development plan; Mr. Howard, would you update us on that.

MR. HOWARD: Terra, I think, will do that for us.
MS. KNIGHT: Just to bring the Commission up to speed on where we are with this and how we got to where we are tonight.

The rezoning application for this property was originally heard by the Planning commission back in about 2013. At that point it was an application to rezone the property from Agricultural, from A-U to B-4, and the Planning Commission denied that application. That was appealed to Fiscal Court.

Fiscal Court approved the rezoning and put various conditions on that, including the submission of a final development plan, which is what is before the commission tonight.

From Fiscal Court, that was appealed to Circuit Court. The Circuit Court rendered its opinion upholding the rezoning back in about April of this year.

Since then there's been some activity on the property and that's prompted some additional filings in the litigation very recently. There's been a motion basically to set aside the Court of Appeals' ruling upholding the rezoning and also actually filed today a motion, a Temporary Restraining Order that would prevent us from hearing or ruling on a final development plan until the court hears these other
Based on all of this, you know, this is litigation that the Planning Commission is a named party in. We have participated in this litigation. We will be required to participate in it going forward. We, of course, will be bound by whatever decision the court renders. And those motions, whatever the court decides on those motions, if we were to hear the matter tonight, our action could be null and void depending on the outcome of those motions.

So, it is my recommendation that the Commission postpone this item, at least until the January hearing, and then we can review the status of pending litigation at that time.

I have spoken with Judge Taylor who filed the motions and with Mr. Lambert's attorney to let them know that that would be my recommendation based on the circumstances.

One concern, this is different from the item that was withdrawn. Since this item is actually being called tonight, there won't be any additional notice requirements for the January hearing. Certified mailings won't be required. It will just be postponed until that hearing if the Commission so desires.
Then, of course, it would have to be after a proper motion and pass of the motion, etcetera.

Again, I've spoken with the parties who have filed the motion and are affected by the motion to let them know that would be my recommendation. They may want to speak just on that issue on my recommendation. I think one supports it. One is in opposition.

So if the Chairman wants to make a note of that, and the Commission wants to make a note of that, that's fine. If the parties want to address that issue, that's up to the Chairman as well.

CHAIRMAN: Thank you very much.

Based on advice of counsel, unless there's objections from any of the Commissioners, the fact that we are a named party in the suit and anything we would hear -- I'll get to you, sir. Anything we might hear this evening could be taken forward and used in the litigation. It's my recommendation that we do follow counsel's advice and postpone this matter until January.

Any commissioners object to that?

(NO RESPONSE)

CHAIRMAN: If not, then I'll entertain a motion to that effect.

MR. PEDLEY: You need a motion for both items?
You have a final development plan and a minor subdivision plat.

MS. KNIGHT: Yes. The recommendation is the same on both items.

CHAIRMAN: Yes, it's on both items, Mr. Pedley.

MR. PEDLEY: Okay. I make a motion to postpone.

CHAIRMAN: I have a motion by Mr. Pedley.

MR. BOSWELL: Second.

CHAIRMAN: Second by Mr. Boswell.

Before we vote, if anyone would like to make a comment, you're certainly welcome to. I'd ask you to make sure that you're only talking about this motion. Not any other facts to be involved. Thank you.

MR. OVERSTREET: My name is Kent Overstreet. I'm here on behalf of Mr. Lambert, the applicant, Lamco Properties.

Before you all vote, I would like to point out as Ms. Knight noted, this matter was before the Circuit Court. It was final, the opinion was rendered April 14th of 2015. It was a final matter as of May 15, 2015. It was final for all purposes.

Judge Taylor has now filed what is known as a 60.02 Motion naming several bases. Under 60.02, which
is a civil rule, it specifically provides that it does
not affect the finality of the previous ruling.
That's the last sentence of the civil rule. So it in
no way impacts the finality of that rule unless and
until the judge rules on that.

The Emergency Motion that was filed today, I
filed a response tonight to that motion. There are a
multitude of problems with that motion. It is styled
as "Emergency Motion." It's requesting injunctive or
a restraining order relief. It has been filed in the
form of a motion, injunctive or restraining order
relief must be filed by a Verified Complaint or it has
to be submitted by affidavit, or at least accompanied
by an affidavit. It has to be submitted in a pending
action. Because the action is final, it is not a
"live action" that this could be filed through. So
therefore we submit to you all that the Emergency
Motion is improperly filed. It can not be filed
through that action. It was not filed as an
independent action, and therefore there won't be and
can't be any action taken on that.

This is just another attempt to intimidate
this board. It's an attempt to further delay the
development of this property that's going to happen.
The complaints that are being lodged in those matters
are the result of conditions that the Taylors and others wanted imposed upon the applicant and this particular proceeding.

So with that being said, we would ask that we go forward. My client has complied with every requirement. They've met every provision that Fiscal Court imposed. He's met the additional requirements that he agreed to with Judge Taylor to increase a buffer zone.

CHAIRMAN: I don't think that's relevant to this motion.

MR. OVERSTREET: As far as where we're going for tonight's purposes, I'm submitting to you that he's entitled to his hearing on the development plan. The bases that has been put forth I do not think serve as the bases to stop this.

As Ms. Knight noted, they can stop it after this fact; but you all are free to move forward with the development plan. If the Judge comes back in and stops it later, they stop it. If something else happens and they send us back to square one, they send us back to square one. If we rezone this later into multi-family and there's an apartment complex, then that happens; but at this point I believe he's entitled to his hearing on the development plan.
Everything has been submitted. We have all the signatures. We're ready to move forward tonight. We would ask that he be allowed to do that.

CHAIRMAN: Thank you.

MS. KNIGHT: Mr. Chairman, if I may.

CHAIRMAN: Yes. Please, Ms. Knight.

MS. KNIGHT: Just to address those. I have reviewed the motions that were filed and Mr. Overstreet's response on behalf of Mr. Lambert. I understand all those legal arguments were made in those pleadings.

The Planning Commission will have to respond to those motions in written form and address all of those and put forth our position basically.

I don't believe that this is the time or the place to have those legal arguments, and quite frankly the Planning Commission isn't in a position to make judgments or rulings on those legal arguments. While I appreciate the situation and those facts that have been presented, those arguments, that doesn't change my recommendation to the commission.

CHAIRMAN: Thank you.

Does the other party wish to comment?

MR. TAYLOR: No.

CHAIRMAN: Having heard Mr. Overstreet's
comments, there's a motion on the floor. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: This item is postponed until the January meeting.

We'll go now to Item Number 3, Mr. Howard.

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GENERAL BUSINESS

CELLULAR TELECOMMUNICATIONS FACILITIES PER KRS 100.987

ITEM 3

2490 Barron Drive
Consider approval of a wireless telecommunications tower
Applicant: Central States Tower III, LLC and GTE Wireless of the Midwest Incorporated d/b/a Verizon Wireless

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

MR. HILL: Mike Hill.

(MIKE HILL SWORN BY ATTORNEY.)

MR. HILL: All the materials for a complete application have been submitted in accordance with the Owensboro Metropolitan Zoning Ordinance, Section 20-4(b).

The proposed cellular tower meets all applicable setbacks from leased property lines at 150 feet with a 5 foot lightning rod. The proposed tower
is under the 200 foot maximum allowed by ordinance.

The screening plan calls for an 8 foot chain-linked fence around the proposed tower. Two staggered rows of 6 foot tall evergreen trees spaced 15 feet apart is also proposed outside the chain-link fence.

No signs are proposed with the cell tower application.

The site can accommodate a maximum of four service providers.

No waivers have been requested by the applicant.

Staff recommends approval of the request 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 four 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.

Staff request that the Staff Report be entered
into the record as Exhibit A.

CHAIRMAN: Thank you, Mr. Hill.

Anyone here representing the applicant? Do
you wish to speak, sir?

MR. GRANT: I do. Good evening, Mr. Chairman.

My name is Robert Grant. I'm attorney for Verizon
Wireless and Central States Towers.

We are gratified that Staff has recommended
approval of this application. It comes as no surprise
because our team works very hard to make certain that
when we locate a tower, we comply with all the
requirements of the local zoning ordinances, as well
as the requirements of state law and the requirements
of federal law. In this instance, we've done those
things.

I am going to be mercifully brief. I see
you've got a room full of people. You have a long
agenda, so I'm going to keep my comments very short.
If there are any questions, I'll be happy to answer
them.

CHAIRMAN: Thank you.

Does anybody have any questions?
Mr. Kazlauskas.

MR. KAZLAUSKAS: Yes, sir.

I notice you made the statement that you have met all the requirements of federal law. When I was reading this today, I understand that with the 5 foot lightning rod, the structure is going to be about 160 feet tall.

MR. GRANT: Yes, sir.

MR. KAZLAUSKAS: After looking at the plat, that tower is going to be right on the downwind leg of runway 2-3 at the airport. Although it's only 160 feet tall, what you're telling me is the FAA has approved this tower?

MR. GRANT: Yes, sir. Both the FAA and the KAZC.

MR. KAZLAUSKAS: That's awful close to that runway. Thank you.

CHAIRMAN: Thank you.

Anyone else have a question?

(NO RESPONSE)

CHAIRMAN: Anyone here wish to speak in opposition to the application?

(NO RESPONSE)

CHAIRMAN: If not, the chair will entertain a motion.
Mr. Rogers.

MR. ROGERS: Mr. Chairman, I make a motion for approval with the Conditions that Mr. Hill stated and the Findings of Fact 1 through 4.

CHAIRMAN: We have a motion by Mr. Rogers. Do we have a second?

MR. FREY: Second.

CHAIRMAN: Mr. Frey seconded the motion. Any questions about the motion?

(NO RESPONSE)

CHAIRMAN: If not, all in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The application is approved.

Thank you for coming this evening.

RELATED ITEM

ITEM 3A

2490 Barron Drive, 0.23 acres
Consider approval of a minor subdivision plat.
Applicant: LSK Properties

MR. HOWARD: Mr. Chairman, this plat comes before you meeting the requirements as set forth. It is a small lot, however. It does contain road frontage on Barron Drive. This is the lot that will create the lease area for the cell tower. There is a note on the plat that says that it is a non-buildable
lot except for the construction of the cell tower related-equipment only, which is typically what we see whenever cell towers are installed. We would recommend that you consider it for approval.

CHAIRMAN: Thank you. I'm assuming there is a driveway going into this plat?

MR. HOWARD: There is an ingress/egress easement to the north of the property that will serve as access to this property.

CHAIRMAN: How far is that from the -- is there a telephone unit there on Barron Drive down by the little lake almost to the corner?

MR. BALL: Sanitary sewer, I think. I think there's a sanitary sewer pump station.

CHAIRMAN: Is it far enough away from that not to be an issue?

MR. HOWARD: Well, it's actually on the other side of the road.

CHAIRMAN: Okay. Now I see.

MR. HOWARD: This will be on the west side.

CHAIRMAN: I understand.

Any commissioners have any questions on this issue?

(NO RESPONSE)

CHAIRMAN: If not, the chair will entertain a
motion.

MR. BALL: Mr. Chairman, I recommend approval of this item.

CHAIRMAN: Motion by Mr. Ball.

MR. JEAN: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion passes.

ZONING CHANGES

ITEM 4

924, 928 & 930 Sweeney Street, 0.652 acres
Consider zoning change: From I-1 Light Industrial to R-4DT Inner City Residential
Applicant: Peter & Ann Demko

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

MS. EVANS: Melissa Evans.

(MELISSA EVANS SWORN BY ATTORNEY.)

PLANNING STAFF RECOMMENDATIONS

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

CONDITION

Install a 10-foot wide landscape easement with a 6-foot tall solid wall or fence and one tree every 40 linear feet along all property boundaries where
adjoining I-1 Light Industrial zoned property.

FINDINGS OF FACT

1. Staff recommends approval because the proposed R-4DT Inner City Residential zoning is more appropriate than the current I-1 Light Industrial zoning;

2. The subject property has been used as a residence for more than 100 years;

3. The R-4DT zoning is an expansion of residential use to the north and east; and,

4. The proposed zoning change will bring the property use that has existed on the site since 1895 into conformance with the zoning ordinance.

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

CHAIRMAN: Is anyone here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Would you like to address the board?

APPLICANT REP: No.

CHAIRMAN: Thank you very much.

Is there anyone here in opposition that would like to speak to the board?

(NO RESPONSE)
CHAIRMAN: Does the board have any questions on this issue?

(NO RESPONSE)

CHAIRMAN: The chair will entertain a motion.

MR. MOORE: Mr. Chairman, I move for approval based on Staff's Findings of Fact 1 through 4 and the condition also listed.

CHAIRMAN: I have a motion by Mr. Moore. Do I have a second?

MS. McENROE: Second.

CHAIRMAN: We have a second by Ms. McEnroe.

Questions about the motion?

(NO RESPONSE)

CHAIRMAN: All in favor, raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The application is approved.

ITEM 6

5931 & 5955 Highway 56, 3.933 acres
Consider zoning change: From I-1 Light Industrial (with conditions) to I-1 Light Industrial (amended conditions)
Applicant: Christopher Phelps

MR. HILL: Let me give a brief little summary on this one before I read the recommendation and proposed findings.

In May of 2014, the applicant successfully
requested rezoning on these properties from B-4 to I-1 to allow a contractor shop of special trade business to be located in a metal building on this site. The applicant also uses the property to display and sell storage buildings.

In the 2014 rezoning approval there were two conditions attached to the case.

1. Install perimeter landscape screening, vehicular use area landscaping and pave all vehicular use areas as required by the zoning ordinance.

2. Access to Highway 56 shall be limited to the single existing paved access point.

The applicant associated with this request today is requesting that the wording on that Condition Number 2 be amended to read "Access to Highway 56 shall be limited to the two existing access points as shown on the Final Development Plan." Under a separate application, the applicant has submitted a final development plan for Staff review. That requires action on the condition I just mentioned before that Final Development Plan can be reviewed by Staff and potentially approved.

At some point since the previous rezoning a second entrance on the site was an old maybe abandoned entrance has been gravelled. The applicant wishes to
utilize that entrance as well as the other existing paved entrance on the site.

There is an existing paved driveway 640 feet east of Lyddane Bridge Road that's on this site that serves as access to these properties. Staff believes that given the location of the property and the existing access point on Highway 56 to the property, that Staff would recommend that access to the properties only be limited to the single access point as was previously approved in the rezoning of last year.

PLANNING STAFF RECOMMENDATIONS

The Planning Staff recommends approval of the rezoning, subject to the Conditions and Findings of Fact that follow:

CONDITIONS

1. Install perimeter landscape screening, vehicular use area landscaping and pave all vehicular use areas as required by the zoning ordinance; and,

2. Access to Highway 56 shall be limited to the single existing paved access point located on the eastern side of the property known as 5931 Highway 56.

FINDINGS OF FACT

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

2. The subject property is located in a Rural Community Plan Area, where light industrial uses are appropriate in limited locations;

3. The proposed use meets the criteria of the Comprehensive Plan for non-residential development in an industrial zone;

4. The subject property is major-street oriented and located at the corner of intersecting streets; and

5. With access limited to a single access point on Highway 56, the proposal should not overburden the capacity of roadways in the affected area.

Staff request that the Staff Report be entered into the record as Exhibit C.

CHAIRMAN: Anyone here representing the applicant?

MR. BAKER: Yes.

CHAIRMAN: Would you like to speak?

MR. BAKER: Yes.

MS. KNIGHT: Please state your name.

MR. BAKER: Jason Baker.

(JASON BAKER SWORN BY ATTORNEY.)

MR. BAKER: I have two things to say. Just
want to make sure dimensionally you understand what he is wanting and also to just provide an opinion on circulation of manipulating and moving around these storage buildings within the area he has to work with.

What we are requesting would have us, there's an existing access point to a structure that was next-door. That access point has remained in place since he started his development work. That access point is around 138 feet from Lyddane Bridge Road and 517 feet to the other approved access point.

As it stands and per the development plan that we have, we're showing the storage building display area, it fronts on Highway 56. The proximity of the building to Highway 56 is somewhat narrow and doesn't really allow for a wide lane of traffic. Maneuvering these storage buildings on large trailers and trucks would be very difficult to do it as -- if we don't have a second access point, we will basically have one way in and one way out. So that would have us backing these large trailers all the way along the length of the front of this property and then pulling them back out, which would cause a lot of problems and make it very difficult to operate.

Digger is here to talk on what he's doing there.
CHAIRMAN: Would you state your name, please?

MR. PHELPS: Chris Phelps.

(CHRIS PHELPS SWORN BY ATTORNEY.)

MR. PHELPS: I've been in this location for approximately two years now. I have had buildings outside the property. We have agreed to put concrete or asphalt down, to do all the landscaping, fencing, whatever needed to be done. We've upgraded the property tremendously. I don't know if anybody knows what it looked like from day one.

What my plan is is I'm pulling anywhere from 40 to 50 foot of trailers with buildings on them. I've got a roadway that we will be cutting in that will be 16 foot wide. My buildings are anywhere from 8 by 12, all the way up to 16 by 40. I'm carrying large buildings, not counting the truck that's pulling these gooseneck trailers. So getting the buildings in there, unloading everything, getting turned around is just going to be a hassle on everything. I'm going forward to do all the concrete work that needs to be done. The existing drive that's there that I'm trying to make a drive here now is a drive that has been there since the early '50s, if not early '60s. There was a house that was located on the property. It's just level with the asphalt on the ground. I've
talked to engineers. I've had them out at my lot numerous times with the state, with the road department. No one has ever had a problem. It was just the zoning needed to be changed for me to have another entryway there that was a legal entryway. So that's what I was just trying to get done here tonight. Was just easier access for us to get in and out of the property without having to clutter everything up and back 60 feet of trailer with buildings that are standing anywhere from 13 to 15 foot tall. They're all oversize loads. They have permits and everything. That's what I'm trying to do, is just get it to where I have an easy access to pull in, to pull out.

CHAIRMAN: Thank you very much.

Any commissioners have any questions of the applicant?

MR. BALL: My concern is with the safety there as close as it is to Lyddane Bridge Road. What do you anticipate your traffic to be there, Mr. Phelps, as far coming in and out; and will it also access that separate piece of property in the future for some type of mini-storage or something there as well?

MR. PHELPS: No, sir. No mini-storage as far as you're talking about, mini-storage as far as
renting facilities out?

MR. BALL: Correct. It's only the storage building themselves?

MR. PHELPS: It's the storage buildings, play sets, yard barns, whatever it might be as far as yard furniture, lawn furniture. We're having a display area, and to sell the retail, to have the display. I must have it concreted or asphalted. So that's what I'm trying to do. There will be nothing else besides the storage buildings or retail out there that will be for sale.

MR. BALL: Has your use changed or was this something that was unanticipated from the original conditions? Because the original conditions stated that it would be landscaped and would be paved, I guess, in May of 2014; and in addition to that, it states that there would only be one access. That was approved. I assume that you understood that at that point in time. Has something changed to spark this?

MR. PHELPS: Yes, it has. That's because my setback off of the road is going to keep me so crunched up from the building and trying to set buildings in there to display. It's going to be hard to maneuver in there and out, you know. After setting buildings up and have everything located the way it's
set up, it's just kind of crunched me up. I knew there was already an existing drive there. So it was something that I just wanted to continue to have use of, to make use of that existing drive that's been there for a number of years.

CHAIRMAN: Any other commissioners?

Mr. Boswell.

MR. BOSWELL: Mr. Phelps, I'm very familiar with that area. I'm out from that general vicinity. I would commend you. You have done a significant amount of work out there since you guys were able to open up and start your work there.

MR. PHELPS: Thank you.

MR. BOSWELL: I'll mirror a little bit of what Manuel was talking about. Coming in and out of that road, Lyddane Bridge Road, probably every other day, I have a great concern as well about the traffic there too because I do remember when there was an old house there and what it looked like many years ago. There's been a significant increase in the traffic over the years coming down Lyddane Bridge Road off of West Fifth Street, exiting on to 56 either east or west, as well as later in the afternoons people coming out of Owensboro heading west. It's very, very busy at that intersection. When you pull up off of Lyddane Bridge
Road, pull out onto 56, there's a bit of a dip right there by your main entrance and it's very difficult to see traffic coming from the Owensboro area heading west.

I guess my concern is with the type of traffic that you may have there. My concern is cars trying to pull out and then maybe someone trying to bring a large truck in that exit or coming out of that roadway there and meeting the traffic that's going in either direction. What's your sense about how often that's going to happen?

MR. PHELPS: The buildings we have on display, all the buildings on display are for sale. They can buy those buildings on display. If they choose a different color, a different option of a building, we build those in-house or we build those in Paducah, Kentucky. Once my displays are set up, it may be once every two weeks, twice every two weeks. It's not like it's going to be a continuous flow of big trucks and trailers with displays coming in. Once it's set up, it's set up. We're not going to be rolling in and out three or four times a day. There's going to be one load that may have two or three buildings on it two or three times a week, if that. That's in a busy season. There's not going to be a whole lot of traffic.
Coming in or out, that access would allow us to pull off of 56 into the lot, exit the existing drive that's already there. Just because my -- you know, I've got plenty of room to turn around in my parking lot off of the existing drive to get set up to get out on the road. Because when you're pulling 60 feet out onto the road, that's going to be too tight to try to make -- that would be an entryway for us to pull in with big trucks, unload, pull out the existing drive that's already there.

MR. BOSWELL: That sort of leads into my next question then. With what's there right now, which is basically gravel, you've put a significant amount of gravel down I've seen. Are you going to widen that in any way? Is it going to be improved in a way so that those large vehicles can get in there, or do you feel like it's already enough of an improvement to be able to get your 60 foot trucks in there? It looks fairly narrow to me.

MR. PHELPS: Right. It's just a narrow gravel drive that's there now, but there's no culvert. There's nothing there. It's just flat ground that's there. It's just like the ground here. You don't know where it starts, where it stops. So it's like we're just trying to get a drive to pull in off of
there right now is what it's boiling down to.

Yes, it will be paved or concreted. The whole lot will be. That's what we've done on the existing drive now. We've got a 35 foot drive that was tore up and everything. We've already poured new concrete on that existing drive, 35 foot out.

MR. BOSWELL: Do you have any sense of the time of day these trucks may be coming in?

MR. PHELPS: Yes, sir. Our business is open anywhere from 8 to 5. There will not be any trucks rolling in and out of there late at night, any earlier in the morning. That's pretty much, you know -- we're trying to get the customers before dark also on delivering and setting buildings up.

MR. BOSWELL: Thank you.

CHAIRMAN: Any other commissioners?

MR. BALL: You've talked some about the truck traffic itself. Will your customers have access to that point? I understand that that truck traffic may only be a few times a week, but will your customers have access to both access points?

MR. PHELPS: Yes. Yes. Customers will be able to drive through and see the buildings on display. You know, just kind of roll through there, come and go as they please. Like you said, it's 130
foot from the existing drive on Old Lyddane Bridge Road now.

CHAIRMAN: If that proposed second entrance down there were gated and only used for trucks, and only be open for trucks and closed when the truck leaves, would that help you?

MR. PHELPS: Yes, sir, it would. I would be willing to put a gate up there, whatever style I needed to and have signs.

CHAIRMAN: My question now would be for Staff. Does that make any difference on our concern?

MR. HOWARD: I mean it could. You do create a new access point which would allow traffic to go in and out.

I guess my concern about a gate would be if a truck arrives and Mr. Phelps isn't aware that it's coming, then there might not be a place for that truck to actually pull in. So in a way you'd actually create more of an issue than if the curve-cut was just open and allowed trucks to come in and out. You certainly wouldn't want a gate there that a truck couldn't get through quickly. Because there's no turn lane, there's no shoulder, you'd be stuck with a truck on Highway 56.

CHAIRMAN: Would I also be correct that if we
did allow this and the business changed and another
owner and business went in, that ingress would still
be there and that person might choose to take the gate
down?

MR. HOWARD: Sure. If in your all's
discussion and deliberation, if you feel that the
access point is warranted based on the description
that Mr. Phelps has provided tonight, you may wish to
craft some type of condition that if the use on the
property were to change, that that access would have
to be reviewed and could potentially go away if there
was a higher traffic generator that went on that site,
especially since it's only 130 feet, or whatever Jason
said, from Lyddane Bridge Road.

MR. PHELPS: To Mr. Howard's concern there.
If the gate was closed, I can grant you there's not
going to be a 60 foot truck and trailer and buildings
sitting and waiting for that gate to be open. There's
another drive to pull in that's been there, that's an
existing drive. There will not be a one-way -- the
trucks must come this way. Trucks must exit this way.
That is the access point that I want the trucks to
come in through. If the gate is closed, the trucks
will have to come in the other access point, get down
the road, back out, if the gate is locked.
MR. HOWARD: I support your position. That it might actually function better without a gate, which would put you through less expense and less problem. My concern would be if there is a gate and trucks are coming from town, they bypass your first access point going to the second one where they think they should enter and that's closed. Now you've got a truck with a 60 foot trailer on it that then has to maneuver somewhere and turn around and come back the other direction and turn in your drive. So I'm trying to actually help you from that perspective.

MR. PHELPS: Thank you.

CHAIRMAN: We're trying to work with you. We are always guided by safety. We must be guided by safety, regardless of everybody's good intent.

My question for you next is: Assuming we don't grant you the second access point, can your trucks still get in, make its deliveries, and get back out on the highway though it would be difficult?

MR. PHELPS: It would be very difficult.

CHAIRMAN: But can they do it?

MR. PHELPS: I would say it could happen.

CHAIRMAN: Is that what they're doing right now?

MR. PHELPS: Yes, sir. I'm using the gravel
right now.

CHAIRMAN: You're using the gravel right now?

MR. PHELPS: Yes, sir.

CHAIRMAN: Any other commissioners have any question?

Yes, Mr. Ball.

MR. BALL: I see possibly some adjoining property owners here who may want to speak to this as well.

Is there a possibility for -- I guess this may be a question for you, Brian.

Is there a possibility for an access point on Lyddane Bridge Road?

MR. HOWARD: Sure.

MR. BALL: That could potentially function similar?

MR. HOWARD: Yes. Lyddane Bridge Road is not -- yes, he could have access on Lyddane Bridge Road.

CHAIRMAN: I had that same thought and same question.

Mr. Phelps, would you answer that question for us?

MR. PHELPS: What?

CHAIRMAN: Would one on Lyddane Bridge Road improve your circumstances if we didn't grant the
second access on 56?

MR. PHELPS: No. There's a bad grade issue there that would be real difficult to work into.

MR. BOSWELL: That was going to be my comment, but I do have one other.

I think earlier Mr. Baker mentioned 138 feet. Was that a measured distance from Lyddane Bridge Road and where was that measurement taken from?

MR. BAKER: Center line to center line.

MR. BOSWELL: That's what I wanted to know.

CHAIRMAN: Thank you.

Any other commissioners have questions of Mr. Phelps before we ask anyone in the audience if they'd like to make a comment?

Yes, Mr. Moore.

MR. MOORE: You say you're already using the gravel road to get to 56?

MR. PHELPS: Yes, sir.

MR. MOORE: If we say you can't, it's not going to approve that, you're still going to use that?

MR. PHELPS: Well, it was a gravel lot that was just there, you know. We do have some barricades that we can put up there if need be, but it's just been kind of an easy access point and it's going to be paved.
MR. BALL: I have one more question.

Mike may have said this earlier. What actually sparked this? Was it a Notice of Violation that sparked coming back before the board?

MR. PHELPS: Yes.

MR. BALL: Thank you.

MR. PHELPS: A Notice of Violation, that I got a violation? It would be a lot easier for me to -- now that I have to put the concrete or gravel in, do all the landscaping, it's going to make my setback from where the gravel is now. I'm going to have to move my setback back off of 56. It's going to crunch me up so much.

MR. BALL: Maybe my question is directed more towards Brian.

Did a Notice of Violation go out due to the fact that the landscaping and the paved parking was not currently there?

MR. HOWARD: Jim is here and he can correct me if I'm wrong.

I think we received a complaint about the gravel being out there, and we went out and looked at it and noticed that it was. So a Notice of Violation went out about utilizing gravel instead of a paved surface.
Is that correct, Jim?

MR. MISCHEL: Yes.

CHAIRMAN: Thank you.

Mr. Pedley, do you have a question?

MR. PEDLEY: Yes. I have a question of Mr. Howard.

Highway Access Manual, do they state a minimum spacing from Lyddane Bridge Road on that?

MR. HOWARD: This portion of Highway 56 is outside of the urban surface area. So the access spacing standard does not apply; however, Highway 56 within the urban service area would be 500 foot.

MR. PEDLEY: Also, Mr. Baker, you said the spacing on the eastern access point was 500 and some feet?

MR. BAKER: It's 138 feet from the center line of Lyddane Bridge Road to the entrance in question. They were 517 feet from that access point to the existing approved access point.

MR. PEDLEY: The eastern point, could you close it up closer to the -- I mean western point, could you move it up closer to the eastern point and make this work? Say move it 250 feet rather than 138 and make it work by doing that?

MR. BAKER: Yes, absolutely. It can be moved
anywhere along there. Split the difference. Make them equally spaced, what would be a little over 250 feet actually.

MR. PEDLEY: So that would allow your large trucks to come in and make a circle and back out going in either direction?

MR. BAKER: Yes, sir.

MR. PEDLEY: Mr. Howard, do you have any comments on that issue.

MR. HOWARD: There's all kinds of alternatives potentially.

CHAIRMAN: Any other commissioners have any questions for Mr. Phelps?

(NO RESPONSE)

CHAIRMAN: Would anyone like to speak in opposition or make additional comments, any of the neighbors?

(NO RESPONSE)

CHAIRMAN: Mr. Phelps, if we made a condition as to what Mr. Pedley just suggested here, would you be in agreement with that condition and close that one that is now opened up?

MR. PHELPS: Yes, sir. And move it down to 250 feet?

CHAIRMAN: Yes. Have your engineers work with
our Staff to make sure that we have what everyone and
our Staff and we agree is safe.

MR. PHELPS: Yes, sir.

MR. PEDLEY: And you would widen that access
point large enough to accept your trucks and also you
would pave it?

MR. PHELPS: Yes, sir.

MR. PEDLEY: With 250 foot, would that leave
you enough space between that and your eastern point?

MR. PHELPS: Yes, it would.

MR. PEDLEY: Could we close it a little
further? Could we go 300?

MR. PHELPS: 250 would be nice.

MR. BAKER: Let me just say the way the area
between the building and Highway 56 is, there's an
area that's, really that entrance point ought to be at
the widest point to allow for the maximum
maneuverability. I would ask that we be given that
flexibility to determine, work with Staff on that to
determine the best location. I believe the 250 is
going to work out perfect, but, again, we'd like to be
able to --

MR. HOWARD: Where would you be if you put an
access point in at the property line? What's the
distance there?
MR. BAKER: At the property line of the old, the track?

MR. HOWARD: Yes. Just to the west of your building.

MR. BAKER: Actually I might be able to read it on that drawing right there.

MR. HOWARD: It's not on here. 645 is the total frontage. I was just curious if you knew how much.

MR. BAKER: No, I'm not aware of how wide that existing line is.

MR. HOWARD: The back line is 243.

MR. BAKER: I think I have it right here.

200 feet plus 30 foot to the center line of Lyddane Bridge Road. So if you measure from Lyddane Bridge Road, it looks like 250 would work out well.

MR. HOWARD: Okay.

MR. BALL: So would that keep it on that second parcel?

MR. HOWARD: Either on it or at the property line.

CHAIRMAN: Mr. Boswell.

MR. BOSWELL: The question I have is around some of the discussion we've had about if you move it 250 feet, your asphalt, concrete widen, whatever. Do
you have any sense of the timeline on when that would be done once we would get to a point where something would be approved?

MR. PHELPS: As far as the asphalt or concrete goes, my plan was to have it done April to May, no later, of 2016.

MR. BOSWELL: Thank you.

MR. BAKER: As far as the approval goes, we have a plan that's already in Staff's office that we would need to move the location of that entrance point, but it has been signed off and approved all the utilities and whatnot. Just awaiting this action.

CHAIRMAN: Any other questions?

(NO RESPONSE)

CHAIRMAN: Mr. Pedley, do you have a motion and do you need time to reach the conditions?

MR. PEDLEY: Whenever you're ready.

CHAIRMAN: I think you would -- understand what you're saying.

I'd entertain a motion by Mr. Pedley.

MR. PEDLEY: I'm going to make a motion for approval based on Staff's Recommendation with Conditions 1 and Condition Number 2 would be changed to the spacing from the Lyddane Bridge Road access to 250 feet instead of the existing 138. It would go to
250 feet, and with Findings of Fact 1 through 5.

CHAIRMAN: We have a motion by Mr. Pedley. Do we have a second?

MR. KAZLAUSKAS: Second.

CHAIRMAN: Second by Mr. Kazlauskas.

MR. HOWARD: Could I ask, and Mr. Phelps, I'd ask him to chime in on this if you all are amendable. If that second access point goes in, would you consider adding a condition that would state that if there was a higher traffic generating use on what is now the vacant property, that it would need to be reviewed as to whether or not that's an appropriate location for potentially a significant amount of traffic coming in and out of there? For what he's describing it does not sound like a big deal at all. If you've got a lot of traffic coming in and out of there, I think it should at least have the opportunity to be looked at at some point in the future.

CHAIRMAN: Mr. Ball, would you make an amendment to the motion to that effect?

MS. KNIGHT: If Ward would approve or accept.

CHAIRMAN: Ward, you want to add that third condition?

MR. PEDLEY: That would not be a problem.

MR. PHELPS: No problem.
MR. PEDLEY: Yes, I will accept that third condition.

CHAIRMAN: Is your second still in play?

MR. BOSWELL: We did discuss earlier about what we may put into this if the property changed hands. Do we want to entertain that as far as this motion is concerned about if he sold the property and it changed hands we would have to review.

CHAIRMAN: Mr. Pedley has added that third condition. Are you agreeable to those conditions, Mr. Phelps?

MR. PHELPS: Yes, sir.

CHAIRMAN: Any other questions or concerns?

(NO RESPONSE)

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

Mr. Phelps, I really appreciate how you worked with us. I remember when we did your first rezoning, you were very conscious of your neighbors. Didn't want to do anything to disrupt them. We appreciate it. Hope we will be able to work through this with you in a way that it will work well for your business.
MR. PHELPS: Thank you.

CHAIRMAN: Next item, Mr. Howard.

FINAL DEVELOPMENT PLANS

ITEM 8

6459 Luther Taylor Road, 3.000 acres
Consider approval of a minor subdivision plat.
Applicant: Alene Hawes Harris

MR. HOWARD: Mr. Chairman, this plat comes before you as an exception to both the minimum road frontage requirement and the three to one depth to width ratio requirement.

There is an existing home on the three acre parcel that they are proposing to create, so they're cutting out a lot around that home. We have put a note on the plat that states this property and the parent parcel shall not be further subdivided to create any additional irregular-shaped lots. So create one around the existing home, but there won't be any other lots based on that condition that could take place on that property that do not meet the zoning ordinance and subdivision requirements.

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

CHAIRMAN: Any commissioners have any questions about this? Is the applicant present?

Would you like to speak?
MR. PFEIFFER: Mark Pfeiffer. I'm here for the applicant.

CHAIRMAN: Mr. Pfeiffer, if you would, please.

MR. PFEIFFER: I would just state briefly this three acre lot encompasses a home that's been there 94 years and in the stem of the tract covers a lane that's been there a similar amount of time. This is my client's childhood home. She's been refurbishing that. We're certainly fine with the condition that Mr. Howard mentioned of no additional subdivision and no sorts of lots.

CHAIRMAN: Thank you, Mr. Pfeiffer. Appreciate it very much.

Any commissioners have any questions?

(NO RESPONSE)

CHAIRMAN: If not, the chair will entertain a motion.

Mr. Boswell.

MR. BOSWELL: Motion for approval.

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

MS. McENROE: Second.

CHAIRMAN: Second by Ms. McEnroe. Questions about the motion?

(NO RESPONSE)
CHAIRMAN: All in favor, raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion passes.

ITEM 9

4131 South Hampton Road, 4.537 acres
Consider approval of a minor subdivision plat.
Applicant: Edward E. & Judith K. Bertke

MR. HOWARD: This plat comes before you as an exception as well. This is a situation based on the information that we've gathered where they're creating this 4.537 acre parcel around an existing home. Again, it has a limited amount of frontage and exceeds the three to one requirement. It's our understanding that the intent is that the remainder of that property will also be purchased by the person acquiring lot 1 at some future time. Again, we're creating a lot around an existing home. The notation is on the plat about no further subdivision of either this or the parent parcel as well. So we would recommend that you consider it for approval.

CHAIRMAN: Anyone here representing the applicant?

APPLICANT REP: I am.

CHAIRMAN: Do you wish to make any comments, sir?
APPLICANT REP: Unless there's any questions, I don't believe I need to make any comments.

CHAIRMAN: Any of the commissioners have any questions on this?

(NO RESPONSE)

CHAIRMAN: If not, the chair will entertain a motion.

Mr. Kazlauskas.

MR. KAZLAUSKAS: Move for approval.

CHAIRMAN: We have a motion by Mr. Kazlauskas.

MR. BALL: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The application is approved.

ITEM 10

2906, 2908 Highway 54, 0.447 acres
Consider approval of a minor subdivision plat.
Applicant: Highland Pointe Holdings, LLC

MR. HOWARD: Mr. Chairman and Commissioners,

this plat comes before you creating a .008 acre tract that has road frontage on Highway 54. It is zoned B-4, which there is actually not a minimum road frontage requirement; but the owner, from my understanding, is trying to maintain ownership of a sign, billboard sign that would be on that property.
There is a note on that plat that says that it's a non-buildable lot basically, other than for the sign. There won't be anything else that could be constructed on it.

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

CHAIRMAN: Anyone here representing the applicant?

MR. HAYDEN: Yes.

CHAIRMAN: Mr. Hayden, do you wish to make any comments?

MR. HAYDEN: I'm good.

CHAIRMAN: Commissioners, do you have any questions?

(NO RESPONSE)

CHAIRMAN: If not, the chair will entertain a motion.

MR. JEAN: Motion to approve.

CHAIRMAN: Motion to approve by Mr. Jean.

MR. MOORE: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: That motion is approved.

ITEM 11
49

Consider approval of a minor subdivision plat.
Applicant: Daniel W. Kinney; Reggie & Lisa Grimmett

MR. HOWARD: Mr. Chairman, we received a letter from the applicant requesting that this item be postponed. They're working on realigning the proposed property division and did not have that ready in time for the meeting tonight. Request that that be postponed until the January 14th meeting.

CHAIRMAN: We'll need a motion to postpone, please.

MR. FREY: Motion to postpone.

CHAIRMAN: Motion by Mr. Frey.

MS. McENROE: Second.

CHAIRMAN: Second by Ms. McEnroe. All in favor, raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

That seems to be all of our business, as far as rezoning and subdivision and whatnot.

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NEW BUSINESS

ITEM 12

Consider approval of October 2015 financial statements

CHAIRMAN: All of you should have received a copy of the financial statement. Had a chance to
review them. Are there any questions or concerns about the financial statements?

(NO RESPONSE)

CHAIRMAN: If not, the chair will entertain a motion to approve.

MR. MOORE: Move to approve.

CHAIRMAN: Motion by Mr. Moore.

MR. BOSWELL: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion is approved.

ITEM 13

Consider approval of the amended Public Improvement Specifications surety unit costs.

CHAIRMAN: Mr. Howard, you better handle that because you're much more qualified than I am.

MR. HOWARD: A copy was mailed out to everyone. We do this annually. We get a group together that we call the Public Improvement Specification Committee. They get together and look at the surety unit costs. These are the dollar amounts that are posted by developers when new subdivisions are proposed.

They include Storm Sewer & Drainage features:
Pipes, headwalls, rip/rap, seeding/mulching, inlets.

Sanitary Sewers: Different types of pipes, taps, force mains, manholes.

Streets and Sidewalks: Different curbs, gutters. Then the concrete, bituminous surfaces, things like that, sidewalks.

As you can see in the information that was sent to you, of the variety of items, about 10 or so were amended to increase the cost. Those are based on, those changes were based on real dollars.

Mr. Pedley comes to the meeting every year ready with all of his data of what it's actually costing in the field to do these types of things. These numbers reflect what he has seen out in the field. The city and county engineers, and RWRA, the sewer entity, reviewed his proposals. Based on that these numbers were agreed upon as reasonable increases to make sure that enough surety is in place that if for whatever reason the development couldn't be finished that there's money in place that the city or county engineer could have access to to finish the work.

CHAIRMAN: Mr. Pedley, would you like to make any comments on it? I know you've been more than a major player.
MR. PEDLEY: Well, not necessarily on the sureties, but I would like to make a comment on the PI Committee.

We meet every year. Sometimes we call a special meeting. We have five other items on the agenda. A lot of discussion. It was really a good meeting. That's what the specification meeting is all about. We bring all the issues to the table. We present our ideas and work with the city and county engineer, our design engineer and planning.

Mr. Howard chairs the meeting. We had a great meeting. Good discussion on four or five other items. Won't go into that.

The PI specifications is very, very important to the community because that's the way we do everything, as far as public improvements, subdivisions or anything that we do. I've been working under that for 50 some years and I know how important it is. It is really an important issue with Planning. It's an important issue with the city and county engineers. This is adopted by the Planning Commission; although, every word in there is at the discretion of the city or county engineer. Even though this is adopted by the Planning Commission, still the city and county engineer has full control.
It is a very, very important meeting every year.

I think Brian at the last meeting invited any of you to attend that. I think if you did attend, it was very educational. You learn a lot about what we do out here in our developments, whether we're a contractor, developer, builder or anything we do, we're under PI specks. Anyone that comes into this community has to do their job before the Public Improvement Specification and be approved by the engineers.

It is a very important item for the Planning and Zoning for this community. It is something I encourage everyone to attend. I'm on the Home Builders Board. We had three members from the Home Builders Board. Manuel Ball was on that. Mike O'Bryan is on that. George Ballard is on that.

I just want to bring that to you on how important the PI Specification is to the community.

CHAIRMAN: Appreciate that, Mr. Pedley.

Any commissioners have any questions regarding these?

(NO RESPONSE)

CHAIRMAN: I know I attended a meeting. I think some of you others have from to time. It is very educational.
Mr. Kazlauskas.

MR. KAZLAUSKAS: After reviewing that, and this is personal note for me. The only big jump that I saw was 36 to 48 pipe. Can you give us a brief explanation why that jumped more than all the others?

MR. HOWARD: Ward, the 36 to 48 inch pipe storm and drainage sewer, I know you had data on that, that it was significantly higher than our old surety cost. Can you provide some background?

MR. PEDLEY: Yes. Our suppliers on reinforced concrete pipe, I use Sherman-Dixie out of Evansville. The cost of concrete has gone up tremendous. It jumped $8 a yard last year. In January this coming year, it jumps another $8 a yard. That is most of the cost. When you go to a 48 inch concrete storm pipe, there's a lot of material in there. So the small pipes, the material wasn't a big change; but when you get at the 4 foot pipe, that's why it jumped and the others did not jump. We tried to find an average. If you look there, you look from 8 to 24. That's an average. That doesn't mean that's what it cost for an 8. Doesn't mean that's what it cost for 24. It's an average cost.

If you look at every item, when there's concrete involved, I increased it quite a bit. Paved
ditches jumped up. Sidewalks jumped up. It's basically because of the cost of concrete. We're getting a shortage of cement. We're getting a shortage of fly ash, which is what the concrete is made out of.

Almost every change in the entire PI Specs, now, the sanitary sewer jumped up, so the manholes jumped up some. There again, your manhole is concrete, the sanitary sewer. It's all based on cost of materials. I put all of that together. It's existing prices. I called all these companies. I've got next year's pricing and everything. I've been doing this for years on the PI Specs.

CHAIRMAN: Any other questions for Mr. Pedley or Mr. Howard?

(NO RESPONSE)

CHAIRMAN: If not, Mr. Pedley, would you make a motion since you did all the work?

MR. PEDLEY: I make a motion to approve the sureties on the Public Improvement Specification.

CHAIRMAN: Motion by Mr. Pedley.

MR. BALL: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)
CHAIRMAN: It is approved unanimously.

ITEM 14

Comments by the Chairman

CHAIRMAN: Just very briefly. I'd like to
make two comments.

First, I want to thank the Staff for a
spectacular year. Mr. Howard, you and all your Staff,
some are here this evening, others aren't. We really
appreciate everything you've done this year. It's
been a nice, smooth year. Very progressive year. If
you would please pass it on to all the Staff how much
we appreciate them. Wish you and all of them a very
happy holiday.

I would make the same comment to the Board for
your service this year. It's been a very productive
year. Appreciate your cooperation and your
participation very, very much.

ITEM 15

Comments by the Planning Commissioners

CHAIRMAN: Mr. Pedley.

MR. PEDLEY: Yes. This is my final meeting on
the Planning Commission. Last Thursday night I
announced I'm resigning from the Board of Adjustments.
I've been on the Board of Adjustments 21 years. I
went to see the Judge today to talk to him and told
him my reason for. Today is my last meeting on the Planning Commission. I did not take reappointment. I just want to thank everybody for all your hard work.

(MR. WARD PEDLEY MAKES FAREWELL COMMENTS.)

MR. HOWARD: I do have two other brief comments. Last month after our Planning Commission meeting, Mike Hill from our office posted a planning workshop. It was an introductory to Planning and Zoning. What do we do. There was a newspaper article about it. We sent out notices to lots of people. We had a pretty good turn out. We were pleased with the number of people that were there.

It was a two hour session. We felt like it went really well. Probably sometime in the spring we'd like to do another. Probably the same information at this point, but will have an opportunity hopefully to get more people in and through word of mouth have an opportunity to share what we do.

As Mr. Pedley said, it's one of those things that not everybody understands exactly what Planning and Zoning is what the Building & Codes Department is and what we do and why we do it. Tonight we've had some examples of working through situations and issues and concerns and why we do what we do. Look for that
in the future. We'll be doing more of those. May
expand our course as well and offer some other things.
The other thing I'll mention is I agree with
Mr. Pedley. I think we do have a great planning and
building staff. I couldn't be happier to work with
everybody. We've been lucky this year. We hosted the
statewide Planning Conference in Owensboro in the
spring. Tomorrow we're hosting a regional conference
in Owensboro for planners in the western portion of
the state. We have people coming from Paducah, and
Bowing Green, and Madisonville, and Owensboro, and a
lot of other smaller counties and small cities
in-between. We've got magistrates and mayors and
planning commission members. About 65 to 70 of them
coming to Owensboro tomorrow to learn about planning
and to share thoughts about planning and zoning. We
try and be proactive.

Tomorrow will be me fulfilling or part of my
role is the Western Kentucky representative on the
state planning board. We try and have these types of
training opportunities for planners and commissioners
in the western part of the state.

Looking forward to that. We've got a great
turn out. It appears, if everybody is able to make it
it, it will be, the numbers will be actually what we
had at the state conference. We had more there, but that's a lot of people for a regional conference. So we're very pleased. We worked with the GRADD staff, to Trey Pedley over there. He's worked with their local communities. So we're looking forward to a good turn out tomorrow. That's the only other comment I had.

CHAIRMAN: Without further ado, Mr. Pedley, would you like to make a motion for adjournment?

MR. PEDLEY: Yes. My very last motion. I make a motion to adjourn.

CHAIRMAN: Second?

MR. MOORE: Second.

CHAIRMAN: Mr. Moore has a second. All in favor, raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: We are adjourned.

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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 59 typewritten pages; and that no signature
was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the
13th day of January, 2016.

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

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