The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, October 6, 2016, 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
                 Lewis Jean
                 Beverly McEnroe
                 Angela Hardaway

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CHAIRMAN: First thing we will do this evening is have the prayer and pledge to flag. If you will join me, please.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: Commissioners, all of you should have received a copy of the minutes in your packet. Are there any additions or corrections to the minutes?

(NO RESPONSE)

CHAIRMAN: If not, I'll entertain a motion for approval.

MR. FREY: Motion for approval.

CHAIRMAN: Motion for approval by Mr. Frey.
Do we have a second?

MS. HARDAWAY: Second.

CHAIRMAN: Ms. Hardaway has a second.

Questions or concerns about the motion?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: One thing, let me remind all of the commissioners when you make comments, please get close to the mike so our record can get your comments and also the comments get it on the TV.

When you come to the podium, if you do, this evening, remind you to use the mike because we are on TV and everything is being taken by transcript word for word. So I ask you to please do that.

Mr. Howard, I think we have a presentation to start the evening.

ITEM 3

Presentation of Fiscal Year 1016 Audit by Jared Lindsey, CPA

MR. LINDSEY: Jared Lindsey, Owensboro, Kentucky.

Like Brian said, I'm here to present the 2016 Audit package for the Planning Commission for the year ending June 30, 2016.
Your audit package includes three items. You have a letter to the board; the report on the audited financial statements, and also a report on the internal control over financial reporting and compliance.

The first item is a letter to the board. This should be stapled separately from the bound copy that you have. Basically we are required to report to you any kind of significant audit findings during the course of the audit. Those would be if the commission, if they had any changes in the accounting practices, if we had any kind of difficulty during the audit, any kind of misstatements, any kind of disagreements with management, and then any kind of other items that we would need to communicate to you.

The letters that you have communicates that we didn't have any significant audit findings to report. There were no changes in the accounting practices. There were no difficulties or misstatements that we identified. We did not have any disagreements with management. So that is the first item in the audit package.

The second item is a report on the financial statements. That is Page 8 and 9 in the bound copy of the audit. This report communicates that as a result
of our audit we have issued an opinion on the financial statements. We have issued an unmodified opinion, which is a clean opinion. We believe that the financial statements present fairly. The financial position and the activities of the commission as year ending June 30, 2016.

The third item in the audit package is the report on internal control over financial reporting and on compliance. This is in the bound copy. This is Pages 36 and 37, so it's in the very back of the bound copy.

We are required to report to you any kind of deficiencies or weakness in internal controls or the commission processes. We are also required to report to you any kind of noncompliance issues that we come across. This report that you have in front of you reports that we did not identify any kind of weakness in internal control or any kind of noncompliance.

Then before I conclude I just want to make a general comment on the financial health of the commission. If you turn to Page 12 in the bound copy of the audit, you can see that the commission has a very healthy balance sheet with assets exceeding the liability by 856,000. So that's a strong indicator of a financial healthy organization. Also, another good
sign of financial health that the commission has almost 10 months of expenses in cash reserve, which is outstanding. Usually the general rule of thumb is 3 months or 90 days. So overall the commission appears to be in perfect financial help.

That pretty much summaries the audit package. We would like to thank Brian and the Staff for making the audit process as smooth as possible. We appreciate the opportunity to provide our service to you guys.

Does anybody have any questions of the audit package or anything for me?

CHAIRMAN: Any commissioners have any questions regarding the audit?

(NO RESPONSE)

CHAIRMAN: Evidently not.

MR. LINDSEY: Thank you.

CHAIRMAN: I'd just like to say, particularly for the TV audience that watches us. I think the financial stability of this organization is to be credited to Brian as our leader and to other staff. We do a lot more with less staff probably than any Planning Commission in the state. We appreciate that very much. I think it's great that the community's money is managed as well, Brian. I congratulate you.
and the Staff, and thank you for your report.

Do we need to accept this by a motion or anything, Mr. Howard?

MR. HOWARD: No, I don't think we typically do.

CHAIRMAN: Then we're ready for Item 4.

MR. HOWARD: Next it the Zoning Changes, and I will note that the zoning changes heard tonight will become final 21 days after the meeting, unless an appeal is filed. If an appeal is filed, we will forward the record of this meeting along with all applicable materials to the appropriate legislative body for them to take final action.

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GENERAL BUSINESS

Zoning Changes

ITEM 4

3509 Fairview Drive, 3.496 acres
Consider zoning change: From R-1A Single-Family Residential to R-1C Single-Family Residential
Applicant: JED Rentals, LLC; William F. & Clara Lyninger

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

MR. HILL: Mike Hill.

(MIKE HILL SWORN BY ATTORNEY.)

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

FINDINGS OF FACT:

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

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

3. The proposed use as urban low-density
   residential conforms to the criteria for urban
   residential development;

4. The proposal is a logical expansion of
   existing R-1C Single-Family Residential zoning to the
   north and east; and,

5. Sanitary sewer service is available to the
   subject property through a proposed sewer expansion
   from nearby Stirrup Loop in The Downs subdivision
   across Fairview Drive.

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

CHAIRMAN: Is there anyone here representing
the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Would you like to make any
comments, sir?

APPLICANT REP: No.

CHAIRMAN: Commissioners, any of you have any questions of the applicant?

(NO RESPONSE)

CHAIRMAN: Anyone in the audience have any questions of the applicant or the commission regarding this application?

(NO RESPONSE)

CHAIRMAN: If not, then the Chair will entertain a motion.

MR. JEAN: Mr. Chairman, I'd like to make a motion that we approve this request based on the Staff Report and the Findings of Fact.

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

MS. McENROE: Second.

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

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The motion is approved unanimously.

ITEM 5

A Portion of 6045 Highway 54, 2.174 acres
Consider zoning change: From I-1 Light Industrial to

Ohio Valley Reporting
(270) 683-7383
P-1 Professional/Service
Applicant: Bluegrass Truck, Trailer & Equipment, LLC;
Carl Joseph & Linda T. Boarman

PLANNING STAFF RECOMMENDATION

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

CONDITION:

1. Approval of a minor subdivision plat
dividing the P-1 zoned portion of the parcel from the
remaining I-1 and B-4 zoned portions. The shared
access easement shall also be shown on the minor
subdivision plat.

2. Approval of an amended final development
plan to demonstrate compliance with zoning ordinance
requirements including, but not limited to, parking,
landscaping, building setbacks, access management,
signage and shall also include the shared access
easement.

3. Access to the subject property from
Highway 54 shall be through the existing Daviess
County Lions Club Fairground access point. The
applicant must demonstrate that permission has been
granted by the Daviess County Lions Club to share
their access to Highway 54. No additional access to
Highway 54 shall be granted directly to the subject
property. KYTC shall determine whether improvements
to the existing County Fairground entrance to Highway 54 will be required and said improvements, if any, must be shown on the amended final development plan.

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 professional/service uses are appropriate in limited locations;

3. The proposed use as medical office conforms to the criteria for non-residential development;

4. The proposed P-1 Professional/Service zoning is a logical expansion of B-4 General Business zoning to the south across Highway 54;

5. The proposed logical expansion across an intervening street is greater than one acre in size;

6. At 2.174 acres, the proposal would not overburden the capacity of roadways and other necessary urban services that are available in the affected area; and

7. The proposal also meets the criteria for a new location of professional/service zoning because Highway 54 is classified as a principal arterial and
this property is considered major-street-oriented.

Staff request that this report be entered into
the record as Exhibit B.

CHAIRMAN: Anyone here representing the applicants?

MR. ARNOLD: Yes.

CHAIRMAN: Any comments you would like to make?

MR. ARNOLD: Not at this time, sir.

CHAIRMAN: You might want to come to podium. I have one question for you, if you don't mind.

MS. KNIGHT: State your name for the record.

MR. ARNOLD: My name is Mike Arnold.

(MIKE ARNOLD SWORN BY ATTORNEY.)

CHAIRMAN: Have you had communications with the Daviess County Lions Club to use that road?

MR. ARNOLD: I have not, but the owner has. They have stated that they would give permission and do whatever needed to be done in order to see this project go forward.

CHAIRMAN: And the owner is?

MR. ARNOLD: The Lions Club.

CHAIRMAN: Does the Lions Club own the property?

MR. ARNOLD: They do. The property owner of
the property being considered here spoke to the Lions
Club at their last meeting. They said that they would
do what they needed to do, provide you with the
permissions and so forth required to see the project
go forward.

CHAIRMAN: Any other commissions have any
questions?

Mr. Boswell.

MR. BOSWELL: As pertaining to the
Commissioner's question, is that permission going to
be in a written form?

MR. ARNOLD: Yes, sir.

MR. BOSWELL: Thank you.

CHAIRMAN: Any other questions?

(NO RESPONSE)

CHAIRMAN: Any questions from the audience?

(NO RESPONSE)

MR. ARNOLD: Sir, one thing I would add. It
will also be a part of the development plan, to sign
off on that.

CHAIRMAN: Okay. Any other questions?

(NO RESPONSE)

CHAIRMAN: If not, then the Chair will
entertain a motion.

MR. BOSWELL: Mr. Chairman, I move for
approval based on the Planning Staff Recommendations
with Conditions 1 through 3 and the Findings of Facts 1 through 7.

CHAIRMAN: We have a motion by Mr. Boswell.
Do we have a second?
MR. FREY: Second.
CHAIRMAN: Second by Mr. Frey. Any questions or concerns about the motion?
(NO RESPONSE)
CHAIRMAN: All in favor raise your right hand.
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)
CHAIRMAN: The application is approved unanimously.

Minor Subdivision Plats
ITEM 6
614 & 620 Highway 1554, 2.085 acres
Consider approval of a minor subdivision plat
Applicant: Ernie Sampson

MR. HOWARD: Planning Commissioners, this plat comes before you as an exception to the three to one requirement of the subdivision regulations. It's deeper than three times the width of the lot. They're doing this to create a boundary around some existing structures on the property, I believe. They have added a note on there that states that not only will the subject property, but the parent tract will not be
further subdivided in any way that won't meet the
requirements of the subdivision regulations. So with
that we would recommend that you consider it for
approval.

CHAIRMAN: Anyone here representing the
applicant?

APPLICANT REP: Yes.

CHAIRMAN: Any questions?

APPLICANT REP: No.

CHAIRMAN: Any commissioners have any
questions about this application?

(NO RESPONSE)

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

MR. FREY: Make a motion to approve.

CHAIRMAN: Motion by Mr. Frey.

MR. JEAN: Second.

CHAIRMAN: Second by Mr. Jean. Questions or
concerns about the motion?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The motion is approved unanimously.

ITEM 7

10721 & 10761 Campground Road, 7.439 acres
Consider approval of a minor subdivision plat
Applicant: Ryan Coffman & Daren Kinsey

MR. HOWARD: This plat comes before you as well as an exception to the three to one requirement. There is an existing small parcel at the 10721 address at this point. They're dividing off about seven acres off the back portion and consolidating it with the smaller lot. When you do that, you create a lot that's out of whack, as far as the three to one requirement goes. They also added the note about the no further subdivision of the property without meeting the requirements. So we really had two lots and now we still have two lots, but one is just deeper than the requirements would allowed, which I can't sign. With that note on there we would recommend that you consider it for approval.

CHAIRMAN: Anyone representing the applicant?
(NO RESPONSE)

CHAIRMAN: Does anybody have any questions of the Staff on this?
(NO RESPONSE)

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

MR. JEAN: Motion to approve.

CHAIRMAN: Motion to approve by Mr. Jean. Do we have a second?
MS. McENROE: Second.

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

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The application is approved unanimously.

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NEW BUSINESS

ITEM 8

Consider approval of August 2016 financial statements

CHAIRMAN: All of you should have received a copy of the financial statement ending August 3, 2016. Does anybody have any questions or concerns that might be in the financial statement?

(NO RESPONSE)

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

MS. McENROE: Move that we approve.

CHAIRMAN: Motion by Ms. McEnroe.

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 9
Comments by the Chairman

CHAIRMAN: The Chairman has no comments this evening.

ITEM 10
Comments by the Planning Commissioners

CHAIRMAN: Any Planning Commissioners have any comments?

(NO RESPONSE)

ITEM 11
Comments by the Director

CHAIRMAN: Director have any comments?

MR. HOWARD: No, sir.

CHAIRMAN: I will entertain that very important last.

MS. HARDAWAY: Motion to adjourn.

CHAIRMAN: Motion to adjourn by Ms. Hardaway.

Do we have a second?

MR. FREY: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: We are adjourned.

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Ohio Valley Reporting
(270) 683-7383
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 17 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the 6th day of NOVEMBER, 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

Ohio Valley Reporting
(270) 683-7383