The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, March 14, 2019, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: Larry Moore, Chairman
Lewis Jean, Vice Chairman
Mike Edge, Secretary
Brian Howard, Director
Terra Knight, Attorney
Beverly McEnroe
Manuel Ball
Fred Reeves
Angela Hardaway
Larry Boswell
Jay Velotta

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CHAIRMAN: I would like to call to order the March 2019 Owensboro Metropolitan Planning Commission meeting. We usually start our meetings with a prayer and the pledge. That honor this month goes to Commissioner Larry Boswell.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: Thank you, Commissioners.

In order to have a nice smooth meeting, we have some guidelines we ask you to follow.

First of all, if you want to speak on any topic that we have tonight, please come to one of the
microphones in the aisle way, state your name and be
sworn in.

We ask that you direct all your questions to
the Chair. In turn, I'll try to find the answers for
you through our Staff, Director, Commissioners or
whomever. We ask that you stay on topic. Finally and
probably the most important, we ask that you be
respectful. If anybody happens to speak, everybody is
entitled to their opinion. So please be respectful as
such.

All of the commissioners should have received
a copy of their minutes and have had an opportunity to
look at those. Are there any changes that need to be
made?

(NO RESPONSE)

CHAIRMAN: Seeing none the Chair is ready for
a motion.

MS. HARDAWAY: Motion to approve.

CHAIRMAN: Motion by Commissioner Hardaway.

MS. McENROE: Second.

CHAIRMAN: Second by Commissioner McEnroe. We
have a motion and a second. All those in favor please
indicate by raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.
We have with us tonight a special guest that will give us a presentation for the Fiscal Year 2018 audit by Mr. Jack Summerfield.

MR. SUMMERFIELD: Thank you. I am Jack Summerfield with Alexander, Thompson & Arnold, CPA; formerly Myriad CPA Group here in Owensboro.

We did do the audit for fiscal year ending June 30, 2018. I believe you all have had copies of this for a while now so I won't go in great detail and I'll try to keep this brief. There are a few things I would like to point out to you though.

Our independent auditors report is on Page 8. This explains, the second paragraph explains that the financial statements are the responsibility of management. The third paragraph explains that our responsibility as auditor is to express an opinion on these financial statements, and to conduct our audit in a course of a generally accepted auditing standards, as well as government auditing standards.

Then the final paragraph on that page gives our opinion that the financial statements are presented fairly in all material respects. It is a clean opinion. It's the best we are allowed to give you.

I want to highlight something on Page 9, at
In 2018 you had the implementation of a new accounting standard that requires putting the post-employment benefits, other than pensions, on the books. For those of you who were around in 2015, you had to put the pension on the books. So they're already on there and now you've got the other most important, basically the health care benefits on the books as well. That's reflected on Page 10 which is statement of acquisition. About two-thirds of the way down the page it has an unfunded medical post-employment benefits liability of $523,000, and you'll note that the unfunded pension liability is up to 1.5 million now. So between the two of them it's about a $2 million liability.

That is totally more than enough reason why you have a total net position there on the government statement in that position.

Then on Page 11, because we implemented new accounting standard, we had to do accumulative effective change in accounting principal, which is basically what that liability would have been at the end of 2017 had you recognized it at that time. So that reduced your net position by 377,000.

Absent that you have a positive change in that
Then the governmental fund financial statements, the balance sheet is on Page 12. You see on there that at the end of the year with 1.3 million in cash and the total fund balance at the bottom of the page is also 1.3 million, a little bit less.

On Page 14 is the statement of revenue expenditures and change and fund balance. The fund balance increased by 327,000 compared to 131,000 the prior year. The basic difference there was an increase of about $100,000 in your fee revenue. Everything else was roughly comparable to the prior year.

To get more of a breakdown on the expenditures and all, starting on Pages 34 and 35 are the divisional budgetary comparison, and that gives more detail on your expenditures.

I would also note that there was no significant over-expenditures compared to the budget.

Then on Page 42 is the report that we're required to compare when we do an audit in the government auditing standards report on Internal Control and Compliance. I'm pleased to report that there is no internal control deficiencies or any noncompliance issues.
Overall it was a very clean audit. We definitely appreciate the help that Brian and Shannon provided us. We're very pleased with the outcome. If there's any questions, I'll be happy to try to answer them.

CHAIRMAN: Any commissioners have any questions of Mr. Summerfield?

(NO RESPONSE)

CHAIRMAN: Seeing none, thank you very much.

MR. SUMMERFIELD: Thank you all. Appreciate it.

MR. HOWARD: Appreciate it. Thank you.

CHAIRMAN: Brian, I think you're up.

MR. HOWARD: Moving on to zoning changes. I will note 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
5054 Veach Road, 1.540 acres
Consider zoning change: From R-1A Single-Family
Residential and A-U Urban Agriculture to R-1A
Single-Family Residential
Applicant: Thomas J. Meyer; Stephen T. Meyer

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

MR. PEDLEY: Trey Pedley.

(TREY PEDLEY 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 an Urban Residential Plan Area, where single-family residential uses are appropriate in limited locations;

3. The proposed use conforms to the criteria for Urban Residential Development;

4. The subject property is served by sanitary sewer.

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

CHAIRMAN: Anyone here representing the applicant?

MR. MEYER: I am Tom Meyer. Good to see you
again. Also here, I guess, as attorney representing
Stephen Meyer.

My wife and I are the owners of this property
that's being added, is about a 1/2 acre to a 1 acre
tract that they bought for this development.

We're in complete agreement obviously with the
recommendations of the Staff for the rezoning. Just
pointed out by my friend Bill Weikel, that our
property was A-U and the 1 acre tract that had been
carved out in 1955 had been zoned R-1 residential. So
we're here tonight to just get the 1/2 acre tract
that's being added to the back of the property all in
the same zoning, R1A.

I would note that in the Staff Report that
Item Number 4, "The subject property is served by
sanitary sewer," we only wish we had sanitary sewer.
We use septic tanks out there. Other than that, it
works fine. We've lived there since 1990, as Michael
knows. They're in the process of building a house
there that they hope to have completed in June. So we
respectfully request that the zoning request be
approved.

CHAIRMAN: Thank you.

Anyone else have any comments to be made from
the audience?
CHAIRMAN: Any commissioners?

MR. JEAN: I make a motion to approve based on the Staff Report, the testimony heard here this evening, and the site visit with Findings of Facts 1 through 3.

CHAIRMAN: Thank you, Commissioner Jean. Is there a second?

MR. BALL: Second.

CHAIRMAN: Second by Commissioner Ball. We have a motion and a second. Any questions about those?

CHAIRMAN: If not, the Chair is ready for a vote. All those in favor indicate by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries. Thank you.

MINOR SUBDIVISION PLATS

ITEM 5

5459 & 6107 Jack Hinton Road, 327.497 acres
Consider approval of a minor subdivision plat
Applicant: Lanham Family Farms, LLC
MR. HOWARD: This plat comes before you as an exception to the three to one requirement of the Zoning Ordinance. As you can see, this is a really long skinny lot that they're proposing around the acreage there in the back. There's an existing home on it. I believe they're creating this to put the home on one parcel, and then all the farm stuff is being consolidated into a larger parcel, as you can see in the insert there.

This is the only frontage that either of these parcels have, the large farm tract and this one. We've put notes on there that none of this can be further subdivided. Still we're creating an acceptably long flag-lot. It's ready for your all's consideration.

CHAIRMAN: Any commissioners have any questions?

(NO RESPONSE)

CHAIRMAN: Chair is ready for a motion.

MR. REEVES: Motion to approve.

CHAIRMAN: We have a motion to approve. Do we have a second?

MR. EDGE: Second.

CHAIRMAN: Second by Mr. Edge. We have a motion and a second. All those in favor raise your
right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 6

7645, 7652 & 7661 Highway 431, 5.389 acres
Consider approval of a minor subdivision plat
Applicant: William David Hayden & Tony Hayden

MR. HOWARD: This plat comes before you, this
is a situation where there was some existing parcels
of the record with some odd frontage and things like
that. We had discussions with Bill Weikel who
prepared this plat. What is reflected on this plat is
actually what is correct based on deeds even though it
did meet some of the requirements that the lot is
created. It does add frontage to everything that's
out there. So we would recommend that you consider it
for approval.

CHAIRMAN: Commissioners, do we have any
questions?

Mr. Boswell.

MR. BOSWELL: Thank you, Mr. Chairman. Just a
couple of clarification questions.

The 7645 and the 7661 I could not find those
on the GIS system. So I'm assuming they're new
numbers or are they existing numbers?

MS. KNIGHT: State your name for the record,
MR. WEIKEL: Bill Weikel.

(BILL WEIKEL SWORN BY ATTORNEY.)

MR. WEIKEL: You're asking me or the Commission?

MR. BOSWELL: Whoever can answer.

MR. WEIKEL: The number in the middle is the existing and the one on the north and south are the new.

MR. BOSWELL: Thank you.

Second part of my question would be the notation about the further subdivision. Makes mention of the fact that it not be further subdivided as to create addition or irregular-shaped lots. Not meeting subdivision regulations. This is probably a question for Mr. Howard.

I'm assuming that would also apply or could regularly-shaped lots be subdivided or created?

MR. HOWARD: No. These parcels have such limited amounts of road frontage that, one, you're not going to be able to have enough road frontage to meet the three to one requirements to create another parcel. Two, the southernmost parcel is .676 acres; so it doesn't have enough acreage that you could split anything else out of it anyway based on the minimum
lot size requirements.

Unless a public street with a 50-foot right-of-way, a 31-foot street paved, curb and gutter were to be installed, this property can not be further subdivided.

MR. BOSWELL: Thank you, Mr. Howard. That answers my questions.

CHAIRMAN: Thank you. Any other questions?

(NO RESPONSE)

CHAIRMAN: Chair is ready for a motion.

Mr. Ball.

MR. BALL: I would like to make a motion to approve this minor subdivision plat.

CHAIRMAN: We have a motion for approval. Do we have a second?

MR. EDGE: Second.

CHAIRMAN: Second by Mr. Edge. All those in favor please raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

AGRICULTURAL DIVISIONS

ITEM 7

3001 & 3005 Reid Road, 28.00 acres
Consider approval of an agricultural division
Applicant: Gary & Mary J. Warren

MR. HOWARD: This plat comes before you as an
exception on an added division on minimum road
frontage requirements. They only had 50 feet total of
road frontage to this 28 acre parcel. They're
proposing a division. Both parcels will be over 10
acres in size. What they've done is they've split the
50 feet of road frontage so that each parcel will have
25 feet. Again, kind of like the last situation.
This is without -- these parcels won't be able to be
further subdivided either without meeting the
subdivision regulations. They could go in and put in
a public street in this 50 feet that's there, go back
and do that kind of thing. That notation is on the
plat. It's the one division that can potentially take
place on this property, based on the limited amount of
frontage that they have. We've talked to the
applicant about this. They're aware of that. So we
would recommend that you consider it for approval
tonight.

CHAIRMAN: Any commissioners have any
questions?

(NO RESPONSE)

MS. KNIGHT: Don't forget the audience.

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

(NO RESPONSE)
CHAIRMAN: Any other commissioners have any?

(NO RESPONSE)

CHAIRMAN: If not, the Chair is ready for a motion.

MR. BOSWELL: Motion to approve.

CHAIRMAN: We have a motion to approve. Do we have a second?

MS. McENROE: Second.

CHAIRMAN: Second by Ms. McEnroe. Motion and a second. All those in favor please raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

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NEW BUSINESS

ITEM 8

Consider approval of January 2019 financial statements

CHAIRMAN: Everyone should have received the financial package and have had an opportunity to take a look. Any commissioners have any comments about the financial statement?

(NO RESPONSE)

CHAIRMAN: Seeing none the Chair is ready for a motion.

(NO RESPONSE)
MR. REEVES: Motion for approval.

CHAIRMAN: We have a motion for approval. Do we have a second?

MR. JEAN: Second.

CHAIRMAN: Second by Mr. Jean. We have a motion and a second. All those in favor please indicate by raising your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 9

Comments by the Chairman

CHAIRMAN: The Chairman has no comments.

ITEM 10

Comments by the Planning Commissioners

CHAIRMAN: Any comments by the Planning Commission?

Mr. Boswell.

MR. BOSWELL: Thank you, Mr. Chairman.

Just a comment about the financial statement that we just heard from ATA. I think on Page 6 pretty well says the type of job that our Planning Department is doing and the Director and all of the folks are doing. If you take a look at that, it says pretty quickly that they're operating very cost effective in a fiscally response manner and that it remains
healthy. I think that's a testament to the good work that Brian Howard and all of the Planning and Zoning Department are doing in such trying times, especially with this pension issue that hangs around their neck.

Just want to make a congratulatory comment that I think that says it best, they're doing a great job.

CHAIRMAN: Thank you, sir. Is anyone else?

(NO RESPONSE)

ITEM 11

Comments by the Director

MR. HOWARD: I don't have any comments.

CHAIRMAN: We need the last motion.

MR. EDGE: Motion to adjourn.

CHAIRMAN: We have a motion to adjourn. Do we have a second?

MR. BALL: Second.

CHAIRMAN: Second by Mr. Ball. All those 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
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 foregoing 17 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the 30th day of March, 2019.

LYNNETTE KOLLER FUCHS
NOTARY ID 613522
OHIO VALLEY REPORTING SERVICES
2200 E. PARRISH AVE, SUITE 106E
OWENSBORO, KY 42303

COMMISSION EXPIRES: DECEMBER 16, 2022
COUNTY OF RESIDENCE: DAVIESS COUNTY, KY