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Brown taken off planning panel

Blames politics; Murner disagrees

By Andrea Uhde

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Former Oldham Planning and Zoning Commission member Warner Brown says he was replaced because he was too hard on developers.

Brown, whose term recently expired, said he fears that developers are helping to determine the makeup of the commission, which considers zoning changes and development plans throughout the county.

"My theory is, there's a lot of politics being played here," Brown said in a recent interview. "Developers are sculpting the makeup of planning and zoning."

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But Judge-Executive Duane Murner, who nominates 10 of the 15 commission members and chose not to reappoint Brown, disagreed.

"Warner has made very public statements with what his personal preferences are with respect to development and the kinds of developments he wouldn't approve," Murner said.

"I took him to lunch and said, 'Warner, you can't make those kinds of statements. Your personal preference has to be set aside' " if the plans meet the requirements.

Murner said he has appointed and reappointed other commissioners who are seen as "anti-development."

"I am not a person who appoints and reappoints based on what your feelings are," he said.

Fiscal Court voted unanimously on Sept. 16 to replace Brown with Bob Arvin, a former Oldham County Public Schools superintendent. Murner said he nominated Arvin because he will study the material and put biases aside, and Murner added that he is not someone he would describe as "pro-developer."

Commission Chairman Kevin Jeffries said he doesn't believe developers have a say about who's on the commission.

"Warner has done an outstanding job," he said. "I think it's just a decision that the judge made. I'm certainly not going to second guess his decision."

Developer Bob Jones, who has several Oldham projects, said he does think there are some commissioners who can be negative toward development, but he said he hadn't talked with Murner about those concerns.

"As a developer ... all I want is a fair hearing," he said, adding that his track record with the commission is "pretty good."

Warner said there are commissioners who are "anti-bad development," and that the commission in the past year has approved about 80 percent of all applications and two-thirds of the zoning map amendments.

Some commission members said they wished Brown had kept his seat.

Joyce Albertsen said she has no problems with Arvin, but she is "disappointed that (Warner) was not reappointed because he is a man of integrity."

"He's very concerned about the environment and the architectural elements of the plans and had very thoughtful, thoughtful questions."

Commissioner Jan Horton said Murner had told him last year that some builders had complained to him that Horton had an agenda against builders, and Murner then asked Horton's opinion on building.

Horton said he votes with the majority 90 percent of the time.

But Horton said he was upset that builders would approach Murner about those concerns instead of himself. "For a group or people representing builders or any group to go to the judge and for the judge to follow that out to where they're questioning the actions of any pointed or elected official makes me

uncomfortable," he said.

"From what I've seen here (developers) certainly have a voice to be heard that I'm kind of uncomfortable with," but he doesn't really know the ethics of it, he said.

Murner said he chose to reappoint Horton because he "is a very careful, thorough commissioner."

He said he hears complaints from developers and residents who disagree with the commission all the time. But "I'm going to reappoint people who do a good, thorough job."

In a letter to commission members, Brown said he had attended the necessary training and had taken his responsibilities "very seriously." He said he voted with the majority of the commission 90 percent of the time.

"The public needs to be vigilant in order to ensure its interest are served by the government and not those of a particular interest group," Brown wrote. "The land use in this county is too important to be compromised by politics."

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