

# *WABASH COUNTY PLAN COMMISSION*

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## **WABASH COUNTY PLAN COMMISSION** **BOARD MEETING MINUTES** **NOVEMBER 5, 2015**

**Wabash County Plan Commission Board  
Wabash County Court House  
Wabash IN 46992**

**PC Board Members: Curtis Campbell, Randy Curless, Scott Givens, Doug Rice, Sue Ridenour, Lowell Rosen, David Schuler, Cheri Slee, Joe Vogel, Attorney Larry Thrush**

Members present:, Curtis Campbell, Randy Curless, Scott Givens, Sue Ridenour, Lowell Rosen, David Schuler, Cheri Slee, Joe Vogel and Attorney Larry Thrush.

Mr. Givens opened the meeting at 7:00 p.m.

Sue Ridenour motioned to approve the October 1, 2015 minutes as written.

Randy Curless second.

Motion passed.

Variance # 5 Core Resources LLC / Family Dollar

Request for zoning change from Agriculture to General Business. Section 27, Township 26N, Range 7E, Liberty Township, Lafontaine Corp, Wabash County. 1.2 Acres of Parcel 85-19-27-43-058.000-006.

Ashley Combs from Core Resources passed out information and gave an overview of the location and plans for the proposed Family Dollar Store. The structure will be a pre-engineered steel building. Electrical will be provided by Duke Energy from a transformer located on the church property.

Family Dollar has agreed to place a white vinyl fence on the property line between the two parcels. Parking spaces for up to 36 vehicles will be provided.

The store will have minimum of 3 employees on job at all times and employ a total of 8 to 10 people. Store hours will be Monday through Saturday 9 to 10 and Sunday 9 to 9.

Deliveries should be once per week arriving during weekdays.

Mr. Vogel noted the septic field being displayed on the plan and inquired about the town sewer. Ms. Combs explained that, according to engineers preliminary review, the cost to hook to the sewer was too expensive. However those costs have been questioned and a review of

cost for septic vs sewer will be completed. At that time a final determination of sewer or septic will be made. Either way will require state approval.

Gary Nose stated that the sewer line does not extend to the corner but instead is three (3) parcels away from the site and the church prefers not to have the new development on their system as they plan to build on to the church and need the capacity.

Mr. Vogel asked about the drainage and run off plans, with the parking area and entrance being hard surfaced along with the building surface area.

Drawings indicate water going to a retention pond on the south east front corner of the lot to a retention pond and from there it will sheet flow from the retention pond.

Howard stated the drainage plan must be submitted and approved by the Wabash County Drainage Board before any permits can be issued.

Tony Roser asked to be advised of drainage plan when it is submitted as he has adjoining property.

Mr. Givens asked if there was anyone from the community who wished to speak.

Gary Nose said the biggest concern is not getting something. Lafontaine basically has nothing today. Ms. Pattee has worked for over a year trying to get a business in Lafontaine. The lot was previously offered to the church in which the church was grateful but felt funding was needed for other areas at that time.

Daniel Maynard noted Lafontaine has a lot of traffic going by from Marion to Wabash or Wabash to Marion to work. Hopefully this will start a momentum of growth for the community as well as providing conveniences for area residents.

Hearing no further discussion Mr. Givens called for the vote.

Board members completed vote sheets which were reviewed by Mr. Thrush.

The request for the zoning change passed and the plan commission will recommend to the commissioners that the property zoning be changed from Agriculture to General Business.

Special Exception #15 West Plains Mining LLC

Request for a Rail Siding and Expansion of Mining Area

6601 W Old State Rd 24, Wabash

Part of Section 13, Township 27N, Range 5E and Section 18, Township 27N, Range 6E, Noble Township, Wabash County

Will Woodward passed out pamphlets outlining the quarries background, current status of operations and proposal for the rail siding and mining expansion.

West Plains currently has invested \$13.1 million in Wabash County, annually spends \$2.2 million in the county, employees 20 people, is the largest user of Reynolds Oil petroleum products, and spends on average \$35,000 to \$40,000 monthly for electricity.

Open pit mining of commercial grade rock was the original intent but the commercial market died. Operations decided to go to underground mining to get to the 92 foot layer of high quality calcium rock.

95% of the construction market rock goes north to Warsaw, Plymouth, Goshen and area communities. The high calcium market extends from Northern Illinois to Grand Rapids Michigan and into central Ohio for AG Lime.

The request for the expansion of the mining area is for the 43.06 acres owned by BEX Farms (Balkema Excavating Co.) and the 9.14 acre parcel owned by Ron Eads. Both are on the North side of Old 24 and will be predominately mined underground.

Mr. Woodward noted maps showing the total proposed underground mining area. Identifying The area that has been mined underground, the area to be mined underground as well as current and future open pit mining areas.

The primary request on the S. E. application is for a rail siding. This quarry is as far north in Indiana as you can go for limestone. There is no mineable limestone from here to the U.P. of Michigan. Everything is a complete import market and Norfolk Southern is the only rail system running North and South.

The siding as proposed would consist of an 11,250 foot loop track configuration which allows continuous loading of trains. A rail crossing on Old 24 has been approved by INDOT and N.S. The total investment for the siding is estimated at \$6 million.

The proposed siding is identified by the orange line on the map. The yellow dotted line is an optional consideration for future extension of the proposed rail siding. The route would tunnel under the reef at Old 24 under the proposed extension portion of the rail siding. The siding will handle an 80 to 90 car train unit which would be 4500 to 5000 feet long. With this plan the train will never be uncoupled and yet will not cause traffic congestion or disruption of plant operations with rail cars.

It took about 3 years to obtain a long term contract with N. S. for the rail siding, but we do now have a long term contract in place.

If the second option is used it would require tunneling through the limestone reef or open cutting, putting in a culvert, backfilling and repaving that section of Old 24. The method used would be determined by the rock conditions when they get up to the reef. Woodward noted examples in the pamphlet of these types of crossings.

Initial plans are for one 80 car unit train per week which will haul approximately 9,200 tons. An 80 car train unit would travel no faster than 10 MPH and take 10 minutes to clear the crossing.

Using the rail to move product should reduce overall truck traffic by 15 to 20 percent, this will also help to reduce road grime issues.

We are at the mercy of the railroad and on their schedule when it comes to arrival times. They will notify the plant 10 hours ahead when the train will arrive.

The quarry will run two shifts. It will provide 6-10 new employment positions depending on how quick the cars can be loaded. The plant will initially load cars with pay loaders which have bucket scales. The goal is to eventually load from silos. The train must be loaded within 24 hours of arrival at the plant. The engine will not be uncoupled from the cars and the cars will not be disconnected from each other.

The rail siding will pass through the 100 and 500 year floodplain requiring some permitting, but will stay north of the floodway. The current plant area permits will suffice for that portion of the operation but the new area will require new permitting.

Mr. Woodward went on to present some concerns voiced by residents over last 8 years. Mud & dust on road. Over the last 16 months a pavement sweeper has been used once an hour to sweep Old 24. Woodward agrees that this is an issue and the plant has plans and cost in line to pave the entire front entrance area of plant to aid in eliminating the problem. Once the rail siding is in, paving will be completed. The quarry doesn't want to pave the area and then have to tear out a portion of it for the rail siding.

All blasts are recorded. Indiana law allows for a 1.0 on the Richter Scale. The highest reading the plant has recorded at a residence nearest the plant is .21 on the scale. This was a onetime blast for 110,000 ton. It takes a 2.0 on the Richter Scale to cause damage to a structure. With the underground mining, blasting will be less noticeable. The West Plain Mining office is located directly over the underground mining area and blasting has caused no structural issues for the office.

The plant pumps out about 1.8 million gallons per day, which is about average for a quarry. Indiana DNR monitors water levels, tables, and wells in the area and has found no significant draw down affects. Being by the river keeps the area hydrated. These records are inspected by IDNR on random inspections, with no notification prior to inspections.

Consider the hydrological volumetric of the quarry site or quarry footprint. The area of the entire plant operation is less than 3% of the identified cross section for this floodplain area. Indiana DNR / Army Corp of Engineers policy allows a process to impede up to 12 % of an area of a cross section. Take a look at weather conditions over the past few years. Eight of top 15 events in last 50 years have occurred in last 8 years. Since the plant began operations, flooding issues have been a result of weather conditions.

In summary of these issues, we are going to pave the front entrance area to reduce tracking on to Old 24. Most of the blasting will be underground which will reduce noise and vibration. Truck traffic will be reduced by shipping product out by rail.

Mr. Givens asked about the rail siding. Woodward, the siding will be a 3500 foot loop. Train units must be loaded and out in 24 hours. The locomotive will stay connected, in order to minimize time, meet N.S. safety requirements and achieve a workable rate fee. We won't break the train apart. That would require extensive testing, after reconnection of the unit, by N. S. before leaving the plant. The plant will need to load 10,000 tons of material in 24 hours when a unit comes in. Vogel, how will that be accomplished? Eventually it will be done by flood loading conveyors from big silos, with the rail cars moving along at about ½ mph. Initially we will use 12 and 15 yard front end loaders with bucket scales. So much of how it will be handled depends on demand of products. If demand for a product changes then we have to be able to adapt to processing that product.

The siding cannot run any farther south because of the floodway and the loop cannot be greater than a 10 degree arc, which equates to a 1089 foot radius. This equals almost 2200 feet from start to finish of just the radius. This is done to prevent cars from tipping.

Mr. Vogel asked if the plant could expand to the east.

Woodward, yes, the Thrush / Keaffaber portion of the lease will be for open pit mining.

Givens, what is the time frame and estimated potential for the Turkey Buzzard portion of the plant?

Woodward, the reserves are 40 to 50 million tons and should last 20 to 30 years.

Vogel, what was the total tonnage for a rail unit?

Woodward, 9,200 ton per unit train.

Givens, what signal lighting will be used at the Old 24 crossing?

Woodward, flashing lights with overhead cantilever units. We must do a full lighting package. In addition flashing lights will be installed at the top of the overpass for traffic coming down the hill to the crossing.

Curt Campbell asked for any responses from the public.

Dave Wolfrum, Why did this start in a floodplain to begin with.

All the top soil and earth moved and mounded to open the plant was not envisioned.

Feels the build-up along the river has increased flooding severely to the South of the river but did little to the North. The build-up has blocked overflowing water from going to the North.

Doug Simmons

How it impacts his home with respect to blasting. We hear and feel the blast. Pictures have been shaken off the walls during open pit blasting. When does your right to run a business become more important than our rights to protect our residences?

This summer I had to pay several thousand dollars because the cinder blocks dropped down allowing one corner of the foundation of home to drop. The corner of the house had to be redone because of this. It may or may not be the result of blasting, but feels it is.

Truck traffic is an issue on Cooper Road with speeding trucks. The reduction of the speed limit has helped some but speeding trucks is still an issue. Truckers are not the plants responsibility but are a result of the operation. Just feel West Plains could be a better neighbor to the community. Truck drivers could be better neighbors.

Ron Bakehorn

Blasting is a big issue. All of the Thermopane windows in the house now have seals out and there are numerous cracks in block mortar joints which we not previously there. Blasts shake the buildings. Is West Plains liable for these damages?

The sweeping on Old 24 is not working. Excessive slime from trucks leaving plant is left on road and the sweeper is not removing that. Road grime is a problem. Who will be liable in the event of an accident? As for blast monitoring since you record you own readings, isn't that like having the fox guard the hen house?

Woodward, monitors are set at the closest residence to the quarry. We take our own readings, but must record all readings for inspection reports from IDEM. Truck wash tubs

have been looked into. We want to pave entire front area, but do not want to pave until rail siding is in.

Bakehorn, need to look at 700 W from Richvalley to U.S.24, a lot of truck traffic there too. The road is not really made for those large heavy trucks.

Wolfrum

How much more dirt will be moved to put rail siding in?

How much more water will be pushed to the South by this expansion? I continually get more pressure to the South because of the build-up North of the river.

Mr. Woodward passed out data in reference to flooding. West Plains used surveyors and engineers to collect and evaluate floodplain and floodway data. Data collected illustrates at what point, in relation to elevations, areas will begin to flood.

The quarry area currently takes up 63.8 acres.

Per FEMA you cannot impede, with fill, more than 12 % of a floodway.

Using the April 2013 event as the example. The river climbed at the rate of 1.25 feet per hour and reached a crest of 20.68 feet. This was the highest crest by 2.2 feet since the reservoir was built in 1965. The river water is moving at 29.1 cubic feet per second which equals 13.1 million gallons per minute. The quarry area of 63.8 acres removed from floodplain equals 20.7 million gallons of storage taken away by the quarry. At that flow rate, if the quarry did not exist at all, it would take 1 minute 35 seconds to fill the quarry area. Thus it would have evaded the flood for 1 minute 35 seconds.

In looking at Wabash there are 1934 acres of floodplain storage between the quarry and the west edge of Wabash. This translates to 2.2 billion gallons of storage. During the flood event the river is moving 13.1 million gallons per minute. It would take 168 minutes to fill that flood storage area. The quarry is displacing less than 1% of the water storage area, in a flood event. The best example I can think in comparison of the quarry in relation to the floodplain is like sticking your finger in a bath tub of water. It really doesn't have an effect.

Hydrology of area shows quarry to be a very minute part of flood issues. The DNR, Army Corp, IDEM, all have reviewed our floodway permits and quarry site and contend past flooding is a result of weather patterns. Current FEMA mapping does not show quarry but does show flood plain areas South of the river existed prior to the quarry. The area of concern was previously in floodplain and had flooding before the quarry was there.

The Government has compiled enough data and monitors the quarry with enough scrutiny that if West Plains was doing something that diverted the natural course of the river, they would be in a world of hurt.

Sam Unger

The ditches all back up on his land. These events are coming more frequently.

In these events as the river rises you will begin to see the flow in the creeks slow and eventually may flow backward because the river has nowhere else to go.

Wolfrum

Water used to go North and South when the river flooded, but the water always went to the North first. The low area North of the Bridge on 700 W always used to flood before my

property would flood to the South. Now it is being hesitated from going North and the build-up pushes water to the South first which will be as much as 3 feet deep before it ever starts to flow and be visible in the low ground North of the river. Why does the dirt wall have to be that high?

Woodward, In this case the height of the dirt wall is not relevant, it is the height of the water on the wall that matters.

Simons, if you change the elevation on the North side bank, then the water will have to go South first for the period of time it takes the river to elevate to the height of the North bank. It's not the entire quarry that an issue, it's the little bit of elevation change along the North side of the river.

Wolfrum, It's happened the last two times. The river does not flood my field on the North side of Cooper Road. That is from Mill Creek backing up because there is no release to the North. I just never envisioned the amount of earth that has been moved for this quarry. Before the quarry came the low area which is about where your buildings are, used to flood, and now with the build-up it doesn't.

Woodward, I agree, but the 63.8 acre area that the quarry takes out of the flood area doesn't amount to much when you look at how much water is going through there in a flood event.

Wolfrum, if you don't think it amounts to much, look and see what it has done to my pasture field that it has never done in the last twenty years.

Woodward, we haven't had a flood event like this in the last twenty years. We have never had flood events in this county like this since the reservoir was built in 1965. The largest flood events here have happened in the last three years. The largest flood event was 20.68 in 2013; the next largest events were 19.69 and 18.61 both in 2015. In 2014 we didn't have a flood event; the highest point for the year was 14 feet.

Vogel, seems to me we keep hard surfacing areas and now we get such a gob of water in two hours. The reservoirs had to dump water this year because of the amount of rain and I understand that, but I don't understand why at other times they didn't hold more water instead of just letting it go.

Woodward, you can see that on pages 7 and 10 of the charts in June this year the gauges on the river just go out of site. It goes from 8 to 19 feet in 4 hours.

Wolfrum, why does it flood on the South side for a good hour before it floods on the North side of the river? Why was all of my low spot flooded before it was over the road North of the bridge on 700 W?

Woodward, because of Mill Creek backing up.

Wolfrum, Mill Creek is backing up because there is no longer an outlet to the North.

Sue Ridenour, what was the proposed acreage of quarry when West Plains came in initially? The quarry has expanded beyond anything I had anticipated when the application was

originally reviewed. Is the area North of Old 24 the first time West Plains has applied for an expansion?

Howard, Expansion of property, Yes.

Vogel. Did the area North of Old 24 flood this year?

Woodward, yes and it is in the 100 and 500 year floodplain.

Slee, yes, it does with heavy rains, I've seen it.

Unger, you said you have enough reserves for 20 or 30 years, what about expansion to the South in the future?

Woodward, the current area has enough reserves to last our lifetime. There is no rock South of the river. You have the Teays Valley to the South and you cannot mine under the river.

Unger, what will become of the quarry once all reserves are mined.

Woodward, roughly a 200 acre lake 400 feet deep.

Givens, Not making light of the concerns expressed, but they really don't have to do with the request for the rail siding do they?

Bakehorn, I feel we need to clean up the current mess before making another one. My windows and foundation are trivial, but someone is going to die on that road. It is like snot when it rains on the road and it's slick and unsafe.

Truck speed is unsafe on Cooper Rd and 700W. They travel too fast for the size, weight and road conditions

Simons feels West Plains could be a better neighbor.

Ridenour, has not witnessed road slime but is a concern to her. Could be an issue for fire department.

Woodward, I agree, the road is an issue and we have plans to address the issue by paving the area once the rail siding is in place.

Ridenour, we spent a lot of time talking about the Poet noise. I don't know that we spent as much time contemplating this. I guess when I voted on certain things I did not expect to have what I call issues to go with it. If this goes to a vote, I must abstain from voting because I truly believe it affects my farm in the prairie. I'm not voting against it for that reason, but because I don't want others affected. Not saying it is caused by West Plains, but something has changed. Not saying it is West Plains but before ever making a decision I want to go in from the South, walk Mill Creek all the way back, and see what's there. I feel integrity tells me I should not vote on this because I am affected, financially.

Givens, Mill Creek is a problem. I have talked with Cheri and Dave both. Attempts to get land owners to work towards the clean-up of the creek has not worked. DNR requirements and paper work have led to the responsibility being placed on the County Drainage Board and County Surveyor to complete the process. Cost will have to be calculated and those properties draining to Mill Creek will be assessed accordingly.

Wolfrum, I believe the property owners are Irving and Ravenscroft.



Slee, If one owner is on one side of the creek and the other owner is on the other side, you would only need approval from one owner since you would do all the work from one side.

Givens, it's not the cost to clear the creek that the issue it's the paperwork and paper trail required.

Wolfrum, I'm willing to be assessed and pay my share for the clean-up along with the others.

Slee, that's what will happen.

Givens, we need to get the ball moving on that because it will take a long time to get it cleaned out.

Slee, hopefully that answers the question, the whole problem.

Wolfrum, either that or will it create a bigger problem.

Campbell, do you feel flooding in that area is caused partly by Mill Creek?

Wolfrum, Gene Cooper felt it was part of the problem. Dave feels that restricting the flow to the North pushes the water back up the creek sooner at a higher volume.

Givens does anyone else have any comments or questions?

Givens, what are the boards options?

Howard, either a motion for a favorable recommendation or a motion to table the request.

Slee, I have a couple questions about rail siding. The red or orange line is the proposed rail siding?

Woodward, Yes

Slee, The yellow line is the second option or expansion option for the rail siding?

Woodward, Yes.

The yellow line crosses a regulated drain and would require drainage board approval, and the other one, I need to check on, but I'm not sure you're not past our regulated drain part of it, but the drainage board may still be interested in how you're crossing the creek. So for me to say favorable I would need to see how the drainage board would react to what you are going to put there.

Woodward, we plan on doing that. Currently there are 2 - 10 foot culverts under 24 and 2 - 10 foot culverts under the Carlin Branch. Engineers will propose 2 - 10 foot culverts since that is what the others already are.

Slee, I agree with Sue, I have never been back in there and I would like to go back and see what's going on with the portion of Mill Creek in question and I want to see it before proceeding.

Howard, if rail siding is approved we need to see location, size and placement of additional culverts throughout the siding area North of Old 24. Also need to look at County Floodplain Ordinance to see if it requires compensation for and balance by an equivalent volume for

removal and fill in a floodplain. I don't believe we included that in our policy, but I need to verify.

Cheri Slee motioned to table S. E. # 15.

Lowell Rosen, second on the motion.

All members voted in favor to table S.E # 15.

Mr. Vogel inquired about the drainage for Family Dollar. Can the run-off be faster resulting from the construction than it was previously?

Slee, everything should be restricted to prevent run-off from being faster than what it was before development. That is in our drainage policy.

Vogel, the Roser property to the south is already battling issues in the field from run off.

Board members received a copy of the CFO setback calculations as determined by the PC Office. Differences between Farm Bureau calculations and PC office calculations were noted.

A copy of the data collected from surrounding counties CFO policies and fees and a copy of the survey results regarding county setbacks was passed out to board members for review.

Members were notified that satellite manure storage structures have been inquired about in the county.

Hearing no further business Mr. Givens called for a motion to adjourn.

Mr. Vogel motioned to adjourn.

Mr. Schuler second.

Meeting adjourned. 9:35 PM

Also Present were: Will Woodward, Dave Wolfrum, Doug Simons, Ronald Bakehorn, Sam Unger, Elda-Mae Eppley, Daniel Maynard, Patty Maynard, Gary Nose, Tony Roser, Ashley Combs, and Janet Pattee.