

WABASH COUNTY PLAN COMMISSION

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WABASH COUNTY PLAN COMMISSION
BOARD MEETING MINUTES

MARCH 7, 2019

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

Board Members: Curt Campbell, Randy Curless, Jeff Dawes, Patty Godfroy, Doug Rice, Christian Rosen, David Schuler, Cheri Slee, Joe Vogel, Attorney Larry Thrush, Plan Director Mike Howard, Secretary Libby Cook

Present: Curt Campbell, Randy Curless, Christian Rosen, Jeff Dawes, Patty Godfroy, Cheri Slee, Larry Thrush, Mike Howard, Libby Cook, Adam Copeland, David Wamsley, Marty Crossland

The March 7th meeting of the Wabash County Plan Commission Board was called to order by Chairman, Randy Curless at 7:00 pm. Mr. Curless asked if there was a motion to approve the minutes of the February 7th meeting. Jeff Dawes made the motion to accept the minutes as presented; this was seconded by Curt Campbell. The minutes were approved.

The first item on the agenda is Special Exception #2, Adam Copeland requesting to construct a pond at 5549 W 300 N, Noble Township. The contractor will be Brainard Excavating; the pond will cover approximately .25 acres and will be used for geothermal feed. Mr. Copeland is seeking a variance from the property line setbacks on the east side of the property line he would be about 20 to 25 feet from that side, no floodplain issues, no variance from the road setback, no flowage easement issues, 8 inch overflow, maximum depth will be about 12 feet. The closest certified drain would be about 1200 feet to the north/northwest. Mr. Campbell asked County Surveyor, Cheri Slee if there are any drainage issues. Mrs. Slee replied not that she could see but it hasn't been before the Drainage Board yet. Mr. Howard stated that he did not have the drawing of the pond before the drainage board meeting, but they will meet again before the BZA hearing on

this. Mr. Campbell made the motion to give a favorable recommendation to the Board of Zoning Appeals; this was seconded by Christian Rosen. SE #2 with the variance request will be heard by the Board of Zoning Appeals on Tuesday, March 26th at 7:00 pm.

The next item on the agenda is the Wabash River Trail (WRT). Mr. Howard shared with the Board an e-mail from Mark Frantz (attorney for the WRT). If you will recall our request was to have an agreement between the WRT and Mr. Christman that the property between the trail and the Gray's property would be maintained and also to add some more trees or screening like that. Mr. Frantz stated that he has nothing new to report. Mr. Frantz has added additional language in the Easement for that portion of Christman's property that will allow them to follow the request made in the motion at the last meeting, but they are waiting on the easement to be signed.

Mr. Curless: The third item on the agenda is an update on the Todd Custer Special Exception request for a campground in Chester Township. Mr. Howard reviewed an e-mail from Mr. Custer outlining where he is with other permitting, the USACE and IDEM permits have been approved. The IDNR permit has been submitted and was received by them on Jan. 28, 2019; they are requesting more information such as structures and driveway sizes and materials, etc. Mr. Custer believes the public notices to adjoining property owners will be sent out soon, and then a 30 day or so review period before approval, they are hoping. Once the IDNR permits are approved they can get with the Drainage Board and the Plan Commission on the variances. If they are approved, the Custer's then have to get the property surveyed with a topographic map. A civil engineer along with IDEM will have to meet to sight a commercial well in accordance to state setback requirements and guidelines. At that point, they can submit a permit application to the State Board of Health, if and when they approve, construction can begin. Mr. Howard reminded the Board that at the September 6, 2018 meeting, the Plan Commission did give a favorable recommendation to the BZA. At the September 25th meeting of the BZA a motion was made and approved to continue the matter while the Custer's work on other permitting. As we get closer we will have to get with Mr. Thrush to see if this will need to be re-advertised since it has been going on for a while.

Mr. Curless: The next item on the agenda is the CFO/CAFO Grandfather Clause. Mr. Howard stated that Board members were sent quite a bit of information to review on this matter. Mr. Howard then gave each member a brief survey as to how they feel regarding the Grandfather Clause; members were asked to select one of the following options:

- No change should be made to the current Grandfather Clause as stated in the current CFO ordinance draft.
- Some form of change is recommended to the current Grandfather Clause of the current CFO ordinance and draft to provide some control of the expansion of existing CFO sites. This would only apply to CFO's established prior to the 2007 ordinance going in effect.

- The Grandfather Clause should be removed from the current ordinance and draft ordinance and a CFO application for expansion must meet all current CFO ordinance requirements.

Board members will take the survey a second time at the end of the discussion to determine if any opinions have changed after discussing the matter. Discussion was held as to other counties and their CFO/CAFO ordinances, setback requirements for IDEM, the Grandfather Clause adjustment and possibilities of options of ways it could be changed. There is a sample Animal Unit Chart, if you wanted to do something by percentages, I have worked with this some and feel it would be too time consuming to develop and administer a plan that is balanced across the board using animal units and percentages.

Mr. Howard explained how the animal unit count is done. He stated that we also don't want to jeopardize any facility in the county that has been damaged by weather or fire or any action that we don't have any control over that would cause the loss of a facility and would prevent them from rebuilding in that same location. Mr. Howard gave 4 examples, the first one if you said that they could not do any more buildings or expansion of any type, the first thing I thought of was the mortality facilities, the poultry industry is now required to compost deceased birds on site. Example 2, the rest area for a cow had to be increased in order to meet Dannon's and PETA's request. They had to increase the size of that facility just to give more square footage per cow. Example 3 is the loss of a structure due to an act beyond human control which could be fire or wind, are we restricting them to rebuild the same size or could they build a larger capacity? Not letting them re-build in that same location. Example #4 any other adjustments or additions to sites that would be required by IDEM. Mr. Wamsley had asked about other grandfathered sites in the county, he shared information on 11 CAFO swine facility sites that were expanded, or were replaced due to damage or remodeled, those have structures that were added based on the grandfather clause. Mr. Howard shared with the Board an article about House Bill 1378 being defeated in the House this year. Mr. Campbell asked if that was the Bill where they were saying no CAFO within a mile of a residence, Mr. Howard replied that is correct. He then reviewed Wabash County data from the "37 CFO SITING FACTORS, WABASH COUNTY STANDINGS (2014-2015 DATA)", referencing population and housing density countywide, ordinances covering farming/CFO, and how Wabash County ranks as far as siting factors for placement of CAFO's.

Mr. Curless then opened the floor to Board members for discussion.

Mr. Dawes asked if the Grandfather Clause that we currently have only applies to the buildings prior to the 2007 ordinance, if someone built a facility 5 years ago and they were within the setbacks but they were close and then they wanted to add a building and put them closer than that they wouldn't fall under that category, am I correct on that? Mr. Howard stated that is correct, the grandfather clause would only apply to any structure built prior to March 2007. One thing brought up at the last meeting regarding Grandfathered old facilities was the possibility of potential leap frogging one building

after another, in reading the ordinance I don't feel that is a correct statement, however you could put one word in the ordinance in front of the word structures. Just add the word "existing" in there and that would eliminate any doubt. If I had an existing facility and I came in and got a permit for another building within 500 feet and then I came in again and wanted to add another structure it would have to be within 500 feet from the structure that was constructed prior to the 2007 ordinance. You can't just keep going out and out and out. What you would have, located around the central building, is a cluster of new structures and I don't see the livestock industry or the producers, or the owners of these operations ever wanting something like that. Mr. Dawes stated that he thinks the industry standards will control this, the integrators will limit how many animals or animal units can be on one site, that number may change from time to time but I don't see that where they could just keep moving forward and adding more and more. I think the industry will control that through their health standards.

Mr. Howard talked about Midwest Poultry and what they have done since 2007, if we didn't have the grandfather clause what would have happened in the county, how devastating that could have been to what Midwest Poultry has put into the county now. I know the more animals we have the more waste there is to dispose of, but the poultry industry has found a market for the waste product. Mr. Dawes said that he has talked with Keith Gillenwater from Grow Wabash County, asking how many people does Midwest Poultry employ, he said they employ 550 people which is a significant contribution to the economic development of Wabash County. We worked with Midwest when they were rebuilding after their fire to keep them in the county, they did have an option in Ohio, we were interested in keeping them here in Wabash County and since then they have bought a new site and are in the process of moving their offices to the North Manchester area. A group like that is very important to the economic development of Wabash County.

Mr. Howard: At a meeting a few years ago with Farm Bureau a representative from Midwest Poultry spoke and mentioned they are basically at the limit of what they can do with the acreage they have and, at that time, they were talking about looking for another site and how tough it was to find something within the county under the current CFO Ordinance.

Mr. Dawes: I also talked with him and was told the same thing that they are about to the limit with the acreage that they have where they are. They have been looking for some more land but it is hard to find the ground that would meet their building needs and meet the setback requirements in the ordinance.

Mr. Howard: For an existing CFO structure any CFO that existed prior to date of the CAFO ordinance, I think that if all we did was put in "existing" CFO structure that they would understand that they couldn't just keep going out with structures but it would have to be that cluster (everything within 500 feet of the grandfathered structure).

Mrs. Slee: What if they came in and asked for two buildings at one time?

Mr. Campbell: the dairy by me, they only built half of it to start with and then later came in and finished it. I assume they got approval for all of it. Mrs. Slee replied I know that sometimes they will come in with the whole plan and build part and then we know the other part is coming.

Mr. Howard: Option 4 for the ordinance would cover this. Any current IDEM permitted CFO established prior to the March 2, 2007 ordinance may be expanded, extended, enlarged, increased one time at the same immediate (within 500 feet) location provided it meets all current IDEM requirements. This is limited to an expansion plan for the addition of or the expansion of one CFO structure, not for a plan with multiple buildings to be added at one time or in phases. That would be one way to put it in. Mr. Dawes replied that he thinks it would be difficult with the 500 feet to add more than one structure and keep it within that 500 feet. Mr. Campbell brought up a point of the setbacks. Mr. Howard replied that it would depend on your parcel size and how many acres you have to meet those setbacks. The old confinement structures prior to 2007 didn't have a parcel size requirement, so the parcel size wouldn't affect them as far as the grandfathering clause goes but it could affect them depending on how close the adjoining property line is. I have been looking at the ordinance and working on ideas to present to you. One thing in the draft, any CFO structure that existed prior to the date of the CFO ordinance which was established March 2, 2007, and which has obtained or applied for an IDEM permit prior to the date of this ordinance and is not otherwise in violation of any Federal, State or local statute and has not changed ownership since March 2, 2007 shall be considered as grandfathered and may expand its operation within that 500 feet. The expansion shall not exceed the number of permitted animals as stated in IDEM premise ID permit on March 2, 2007 by more than the percentage listed below. However, I don't think the percentage system will work. One thing we stated is that the pre-application has to be in the name of the ownership and it can't change through the pre-application process to a different owner. The ownership of a pre-existing CFO site cannot, if listed as an LLC or corporation at least one member of the LLC or corporation must still be a financially invested member of the board. Outside of a family or an LLC it would lose the grandfather clause. If one member of the corporation remains listed with the farm the grandfather clause would apply for them. A generational family farm may have ownership name change provided the name change is to the next generation of the family farm. Mr. Campbell asked if the farm changes ownership, then has a fire, can they remodel or expand. Mr. Howard stated that in fairness he felt they should be able to. The question then would be do you require them to stay at the number they were permitted for or would you allow them to build at a larger capacity.

Mr. Dawes; I would hate to put too many restrictions on that, depending on how old the facility is. With technology that keeps advancing, it used to be that if you had 4,000 head that was a big operation, with technology today 4,000 head isn't that big of a building. In

these situations some of the restrictions that would be in place would be controlled by the parcel they are on and the distance from the property line will keep that somewhat in control.

Mr. Campbell: With IDEM regulations they would still have to meet a lot there.

Mrs. Slee: Say they are grandfathered in but what they want to do is totally against the drainage ordinance what do we do in that case?

Mr. Howard: If it is against the drainage ordinance the drainage board should advise of such. We should not be issuing a permit until the drainage board comes to an agreement or ruling with the applicant.

Mrs. Slee said on the original ones they didn't have drainage board approval, or a drainage plan. So I am saying they are grandfathered in as far as the building but what if they don't meet our drainage standards?

Mr. Dawes and Mr. Campbell both stated that they think they would have to meet those standards. If it doesn't then it is probably not going to be a good site to put a facility. Mr. Campbell asked if we have a number of how many CAFO's would qualify to be grandfathered.

Mr. Howard: To me, either new or grandfathered it would have to meet Drainage Board requirements going forward. Mrs. Slee stated that she knew it would be required for the new but just wondered about the grandfathered.

Mr. Dawes: I wouldn't object to changing the word to existing structure so that it has to be within 500 feet of that structure. I really feel like the ordinance we have now pretty much addresses what the need is and what is controlled. I feel the number of those farms is going to get less and less as we move forward. Mr. Campbell asked Mr. Dawes if he liked just leaving it (the ordinance) as it is. Mr. Dawes replied yes but I wouldn't object to changing the wording to existing structure. Mr. Campbell stated that he hates to put too many restrictions on this. If a neighbor doesn't agree with the permitting would he have the option of appealing it to the BZA, correct?

Mr. Howard: I think any objection, if they are not going before this Plan Commission or the BZA to begin with, and we are just going by the ordinance and a neighbor would object would he have the right to appeal that to the BZA? Mr. Thrush stated that this Board (PCB) just recommends to the BZA, I wouldn't think so. Mr. Howard said that he believes that the only way it could be appealed to the BZA is if there was a public hearing on it and the neighbor wasn't happy with the outcome since there wasn't a hearing before the BZA.

Mr. Campbell asked if there is a county that requires a Special Exception so it would have to come before the Board?

Mrs. Slee: Then we would just bring in the grandfathered ones because all others have to follow the rules and meet the setback and regulations if you would make the grandfathered ones a Special Exception. Mr. Campbell and Mr. Dawes both stated that there aren't going to be a large number of these requests.

Mr. Dawes: I think just the matter of the acreage you have to have to would pretty well keep that restricted.

Mrs. Slee: you are saying that if there is a father and he has quit or is deceased now and the son is taking it over, would that be a name change? Mr. Howard replied that as the ordinance stands right now there is nothing specific to that.

Mr. Campbell reminded Board members that we need some younger people getting into farming.

Mr. Campbell asked if you buy a farm with a CAFO then do you get the rights to the grandfather clause?

Mr. Curless then opened the floor to the audience. Mr. David Wamsley and Ms. Marty Crossland asked to speak.

Mr. Wamsley: Mr. Wamsley introduced his wife, Marty Crossland. I like some of the ideas you have thrown out tonight Mike, particularly some of the options as far as ownership changes that maybe there are some restrictions applied, I think that makes sense. As far as in our last meeting we talked about 21 different counties and you passed out a flier where you have reached out to 21 different counties and got some responses from some, I don't know if you have heard from all of them or not. I have spent extensive time, I have looked at each one of the counties myself and compiled that data as to who allows what. Approximately 70% of those 21 counties do not allow what we would call our grandfathering process, most of them don't. Out of the 21 there are six that are possibly going to allow it. Let me elaborate a little bit on what each of those 6 say, first of all, Jasper Co. they will allow an expansion in Ag 1, Ag 2, Ag 3, even though they will allow an expansion you still have to meet 1000 feet setback in Ag 1, 1300 feet in Ag 2 and 500 feet in Ag 3 as well as very expansive shelterbelts. Wells Co. allows it straightaway, you can expand 10% but you still have to meet 800 feet from a home, 1 mile from a school, one half mile from a church, 300 feet from any kind of ditch, stream, creek or river, no berms allowed. IDEM frequently allows people to put barns closer than 300 feet by building a berm. In looking through there are a lot of counties that are going with their own rules saying 300 feet straightaway not allowing for the berm process, my two cents on what I have picked up. 1 mile from a town, 2,600 feet from any public use area, 500

feet from anybody's well 300 feet from property line, 60 foot truck turnaround, all kinds of odor control, 51% of the property owners affected have to vote for it that is Wells County. Miami Co. basically the answer is no except by Special Exception if there is no potential injurious situation occurring to a neighbor's land or creating a hardship or nuisance and must be 300 feet from any flowing stream of water. Whitley County by Special Exception setbacks depend on zoning between 660 and 1320 depending on if you are Ag1 or Ag 2 there I think, I didn't write that down, you have to be 300 feet from water. White County, if you are in a non ag zone back before they did their first ordinance there were all kinds of barns built in non ag zones because they didn't have ag zones, but 1,320 feet in a non ag zone, if you are in an ag zone you can expand but in a direction that does not disadvantage your neighbor. I spoke with the plan director today to try to clarify because it was very vague the way I was trying to read it. Another interesting thing about White County is they have a 1 ½ mile setback from Lake Shafer and Lake Freeman as well as the Tippecanoe River, straightaway for all new barns, they are not laying that down on somebody that is grandfathered quote unquote, but for all new barns they have some massive setbacks trying to protect some recreational water opportunities. Dr. Oetken couldn't be here tonight but I wanted to give you his perspective. Ms. Crossland read the following message from Dr. Oetken:

"My main premise is that why is there different rules for new buildings verses old? Why are you playing favoritism to existing CAFO's and not to new ones? If this Commission is to be fair and equal then they need to make the rules the same for everyone. So if you think the standard for new buildings and farms is correct then why would it be any different for an existing farm? There is no difference only that you are giving preference to people that are already established which is unfair. If someone wants to start a new farm business the new building or new farm CAFO setback should be universal."

Mr. Wamsley: In reviewing your minutes of your meetings through the years, on October 17th when you were close to putting the new CAFO ordinance in place, Mike spoke and the way I read the minutes and basically the minutes say that the 1320 foot setbacks, and this was Mike voicing his opinion to the room, that the 1320 setbacks have to be made constant and that they have to be 1320 from an existing structure i.e. a home, unless it is the CAFO owners home. So you were saying no Special Exceptions, nobody coming in here saying we want to do something different than 1320. My take away on that would be if 1320 is good and we don't want to take Special Exceptions on new let's not do it for old, let's make it 1320. Back to where we were earlier in the evening, we spent a lot of time talking about farms and production and Marty and I aren't farmers but we have spent a lot of time educating ourselves as to what goes on in the rural community and we respect it. But on the other hand in looking at particularly where we are around the Treska farm and the homes that have built out to the east of the town Lagro and bordering Gary Treska's property and then the homes that are further west and north, there are a number of homes that potentially could have been zoned residential. I don't know the history, we have residential as close as my next door neighbor on land that to look at it.

Beth Gillespie's farm is zoned residential, she has 150 acres of farmland but it is zoned R1. As time has gone along and the people in the surrounding community that knew Betty, were given verbal assurances, at least I was given verbal assurance that they were not going to expand and people chose to build and locate closer and closer. Well, Betty is not around anymore and in fact they did expand in 2015 and Marty and I were never made aware of it and I got to looking at IDEM's Virtual File Cabinet and they notified 4 people of their expansion in 2015 most recently when they applied to IDEM they notified 26 people. There have been no new homes built so I, at some level I would have come up to speed on this whole subject probably a whole lot sooner had I been notified that there had been an expansion. In reality I didn't notice any additional activity, Gary wasn't bothering me and I wasn't bothering Gary. Betty and I visited every time I was out for a bike ride, it was all good. But just the same they kind of went around what I'll say the rules say on the IDEM application, that you will notify your neighbors to the best of your ability. When they had to notify 26 people this time around verses notifying 4 people in 2015 and there have been no changes in structure that just doesn't set real well. I didn't learn that until last week when I started studying what is going on. Ms. Crossland asked Mr. Howard if he reviews the applications that come in from IDEM.

Mr. Howard: I don't recall anything from IDEM for 2015 for them, I would have to go back through the file and see. The applications come, usually addressed to the Wabash County Commissioners and the Auditor at the weekly meeting presents them to the Commissioners, they look at it and they usually give me a copy of it, but they don't come to me, they come to the Commissioners.

Ms. Crossland: Earlier this evening, the reason I ask, the gentleman that was before us that was applying for the pond I heard you say, it sounded like to me like you were saying that you would send out the notices to whoever needed. Did I hear that correct?

Mr. Howard: Yes, by our ordinance we are required to notify everybody within 250 feet for a Special Exception. We do that in house now because we had so many problems with applicants coming in and saying, well we didn't get it done. Normally it would be the applicant's responsibility to get the letters mailed and ad published. As far as IDEM permitting we have nothing to do with IDEM permitting notifications, the only notification we would do would be with our own pre-applications. Our ordinance states that when somebody does a pre-application we would notify all property owners within the 1320 foot halo of the proposed site.

Ms. Crossland: Because he is a grandfathered he didn't have to pre-apply, am I correct?

Mr. Howard: That would be correct, but I don't recall what he did.

Mr. Wamsley: His total animal count actually didn't change, but he went from, he increased his animal units is what happened. He had some grow to finish but he

increased the grow to finish and reduced the smaller animals total animal count stayed constant nearly, but total animal units went up and he was required to apply to IDEM in order to do that.

Mr. Howard: Therefore there would have been no requirement to come to us because there was no structure change. Mr. Wamsley agreed.

Mr. Rosen: Did he go from farrow to finish and probably just went to wean to finish?

Mr. Wamsley: He had a mixed bag, I don't think he was running within integrators back then maybe because it is a smaller operation, 980 head total maybe. I think he has gone to an integrator if I had to guess at it. Long story short he didn't notify $\frac{3}{4}$ of the people that he should have notified or I would have probably been on the scene, coming up to speed sooner. The other thing I would say, the way I read the IDEM the Drainage Board does not get to weigh in, I'm sorry under the Grandfathered the Drainage Board does not get to weigh in right now, am I right or wrong?

Mr. Howard: On the Grandfathered clause if somebody came in that was under the Grandfathered clause it would go to them before we would ever write them a permit under the proposed ordinance.

Mr. Wamsley: The Grandfathered doesn't say that.

Mrs. Slee: We didn't get anything with Midwest Poultry.

Mr. Howard: As far as their remodel?

Mrs. Slee: Yes and their building that they added and stuff.

Mr. Wamsley: The ordinance doesn't read that way, it does not allow for it the way I read it.

Mrs. Slee: We did for Hauptert's. Mr. Howard asked Mrs. Slee if she had received anything for Donaldson. She replied that it is all new, but Midwest Poultry no, we did not receive anything. Of course it was already going up pretty much before we.

Mr. Howard: Have you ever previously received anything from Midwest Poultry?

Mrs. Slee: No, we have never gotten anything from them.

Mr. Howard: Their structures didn't change just a rebuild of the existing structures.

Mr. Wamsley: I like the idea of not allowing a change of ownership or at least with an LLC that at least one person that was an investor is still along for the ride, that all makes sense. Most of the other counties, basically 70% of the counties do not allow a grandfather deal but they do frequently discuss legal nonconforming structures which is what we are talking about here. Old buildings that don't meet present setbacks or present something, most of them allow them to exist until the building is done or the people are done as opposed to continue on in perpetuity or get sold off to others. Remember that we are talking about ones that are nonconforming because of one reason or another. We have spent an awful lot of time talking about production, I think one thing to focus on is Indiana Code that deals with your powers, your duties as planners, and zoning ordinances, powers, I can give you the IC code I will give you a copy of this: You have a responsibility to secure adequate light, air, convenience of access, safety from fire, flood and other danger. Lessening and avoiding congestion in public ways. And most importantly, promoting the public health, safety, comfort (big word here), morals, convenience and general welfare of the entire community. I think this is a big point, in my mind may not be in yours. We are talking about 80 - 90 CAFO's in this community, I don't know how many owners are involved in that 80-90 CAFO's. There are 600 or fewer farm owners in this total county. There are 29,000 some people that live in this county. You all as planners are looking at the production which is an important component to the community but it only represents 7% of the income that is generated in the county. We're, you, all are making rules that are affecting public health, safety, comfort, morals, convenience and the ability to go outdoors and enjoy your yard. So if you would please keep this Indiana section of code in mind that you need to look out for everybody, not just the farmers, not just the CAFO owners, not just the business owners, not just the retired folk, but everybody. That is kind of important. You know that the county does make money other ways other than from CAFO's, yes it is a predominantly agricultural community, White Co. is, up where Culver is. If you look at the rules from these 21 counties, I have all the reqs for these counties and I have read them all thoroughly there are communities that are more ag than we are that have more teeth in keeping people safe as a result of CAFO operations than we do. You guys have done a good job, you have done a lot more than the basics. Look at Dekalb County, they haven't done anything at all. Their group can't, they had to get rid of their executive chef there I will use that word, their head planner, there was an issue or they might have a CAFO rule. Do look at the safety and the health and the enjoyment factor of the entire community as you consider this, the grandfather thing is the smallest part of the problem, I'll grant you that but in the situation that I am dealing with it is the largest part of the problem. People trusted that that was going to remain a small farm. I was given verbal assurances, other people were given verbal assurances, that has all changed and I can't enforce that, it is unfortunate but I will stand down on that.

Ms. Crossland: We have been here for 7 years, we love the community. We are retired, we are city folks. Dr. Oetken is new to the community, just in the last year. We have advertised for Wabash when we go back to Indianapolis, which is frequently trying to

promote our friends to come up here and live and we think there is so much potential for growth here. We want people to come here and be able to enjoy it like we do and not feel as frustrated.

Mr. Wamsley: We have enjoyed it very, very much until just recently. We would like to go on enjoying it.

Ms. Crossland: We want to help.

Mr. Wamsley: When we get past this mess, I am retired from investments and I have helped a lot of non for profit organizations throughout my career I know a lot about finance a lot about business. I think there is a lot I can do to help the county, whether I would ever want to run for office, I am happy to work behind the scenes without pay and help you all to do your job and lend the resources that I possess from a lot of years of experience. I want to be there and help this community. I will throw that out there in case anybody has an interest down the road. I have told Mike that before. I am here to be part of the community, to make it a better one. I have some ideas that potentially could change the game on the revenue side of the county for tax base that we can visit on another day.

Mr. Wamsley and Ms. Crossland thanked the Board.

Mrs. Slee: I take that back with Midwest Poultry, their other location that they have, we didn't do a drainage plan or anything, but I think we were notified when they added that building on, I think to the north. On CR 500. Mr. Howard asked if it was the one where they have 4 buildings and they added single units at a time. Mrs. Slee said where they were right up to the property line. I think you did bring something over on that that they were adding it on, but we didn't have a drainage plan or anything at that time. Mr. Howard replied that it would have had to be a Special Exception or something because they put in the processing facility, the storage, and refrigeration. Mrs. Slee said that she remembered that she and Kelvin Grump did go out and look at that one to see how close it was to the property line.

Mr. Howard: Their original plan was for all of those buildings at one time, but we wrote the permit for each one as they were ready to build it.

Mrs. Slee: I just remember that we went out and looked at that one.

Mr. Dawes: As far as the berm he is talking about, I would rather IDEM, they have the expertise, I wouldn't want to get into that. I know they grant such things, to me that is an IDEM issue.

Mr. Campbell: We shouldn't be doubling IDEM rules; I don't think we need to be making rules over them other than our setbacks.

Mr. Dawes: IDEM doesn't even regulate odors.

Mr. Dawes: If there is an issue about a facility being within 300 feet of a stream, I know they give variances if you put in a berm. But if it doesn't meet the IDEM requirements they are not going to issue a permit for that site to put a facility on. I think down the road they are going to find technology to control the odor and a use for the waste.

Mr. Dawes suggested that if the approval of the new County Ordinance is close that we make that change in there. Mr. Howard asked besides the word structures is there anything else that we want to change?

Mr. Howard then gave an update on complaints including unsafe premise orders, and future development a question regarding residential development.

There being no further business Mr. Curless asked for a motion to adjourn. Mr. Rosen made the motion to adjourn; this was seconded by Mr. Dawes. The meeting adjourned at 9:15 pm.

Libby Cook
Secretary, Wabash Co. Plan Commission
MTH