

WABASH COUNTY PLAN COMMISSION

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WABASH COUNTY PLAN COMMISSION
BOARD MEETING MINUTES

AUGUST 1, 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, Jeff Dawes, Patty Godfroy, Doug Rice, Cheri Slee, Joe Vogel, Larry Thrush, Mike Howard, Libby Cook

The August 1, 2019 meeting of the Wabash County Plan Commission Board was called to order by Chairman, Randy Curless at 7:00 pm. Mr. Curless asked for a motion on the minutes of the July meeting. Mr. Howard noted one correction, the spelling of the last name Haupert (shows as Huppert in some places) this has been corrected on the final copy of the minutes. Jeff Dawes made the motion to approve the minutes as written; this was seconded by Joe Vogel. The minutes will stand approved as written.

Mr. Curless: The first item on the agenda is Special Exception #5 by Scott & Lisa Haupert to operate a business in an Ag zoned area in Paw Paw Township.

Mr. Howard: The Haupert's are being represented tonight by Mr. Andrew Rossell with AR Engineering. In July Mr. Rossell was here to ask for a rezone of the property, it is currently zoned Agriculture, they were asking for the Board to recommend changing it to General Business. A developer is interested in the property for a general retail business; the name of the business has not been disclosed. The Board overturned the request for rezoning; Mr. Rossell is here tonight to request a Special Exception to operate a business in an agricultural zone.

Mr. Rossell: Last month I was here to ask for a rezone of the property. Now, understanding the legalities of a Special Exception, we are back to ask for a Special Exception, with some of the clarifications that were made at the rezone hearing they felt comfortable with the way that the Special Exception is transferred to be able to operate under that. Mr. Rossell reviewed an updated site plan with the Board members, stating that locations are approximate; a survey has not been completed at this time because of the action of the Special Exception, that is the first step before they complete surveying design and environmental investigation. I am here tonight to request a Special Exception for a general retail store to be located in an Ag zoned area. I can answer any questions you may have.

Mr. Howard shared photos of the property and the intersection of State Roads 15 & 16. He informed the Board that their attorney and Title Co. requested the following special wording on the application "to have a retail business including any lawful retail use or purpose of applicant, its tenants and their successors and/or assigns, in an Ag zoned area". The state would be in control of the entrance and they would have to meet all State INDOT regulations and requirements for the driveway. Septic permits would also be under the state's ruling. The site would require a commercial on-site sewage system that would be under the state's ruling and guidelines. My understanding is that they can do that at the state level and send it back to the County Health Dept. and she can issue the permit based on their findings. I have copies of traffic counts at that intersection provided by INDOT. I also requested from INDOT a report on accidents for the intersection but have not received that information yet. Mr. Howard then reviewed a list of variances he would recommend to the Board of Zoning Appeals, he stated that he just wanted the Plan Commission Board to be aware of these as the vote on these would be done by the BZA. These variances are based on the current site plan. Mr. Howard shared that he has some concerns over the 30 foot easement on the east side, there could potentially be a home built on the parcel behind this. I would suggest that they be required to meet the setbacks from the west side of the easement, if they are not meeting those then they would be applying for a variance. Mr. Howard then reviewed charts he had made for the Board members which show the different elevations in the area. He reviewed the drainage areas and reminded Mr. Rossell and the Board that there is a County Certified Drain that runs through the property, this was mentioned during the rezoning hearing but there wasn't a lot of data brought in for the Board to review for that specific area. Mr. Howard then asked Mr. Rossell to explain lease terms for the property. Mr. Rossell stated that it is a standard built to suit; the developer builds it and leases it back to the tenant for a lease term of 15 years with five 5 year options. Mr. Howard asked, the actual developer would be buying the property from the Hauptert's. Mr. Rossell replied yes, they have the option to purchase now. The Special Exception, all the permits, everything would have to be in order for them to close on the property, then they would own the property and the building and lease it back to the tenant. Mr. Dawes asked, at the end of the 15 year lease if the tenant chose not to renew it would go back to the developer. Mr. Rossell replied

correct, the developer would still own the land and the building if the tenant chose not to renew.

Mr. Howard wanted the Board to be aware of the wording of what they are asking for in the Special Exception application, it is a little different than what we normally see in an application. Mr. Howard then asked Board Attorney, Larry Thrush, in a retail business like this you are basically opening it up for any type of retail as you go along. The way the application is stated does it allow them to ever put in anything like an underground tank and have a gas station or anything like that? Mr. Thrush stated that he thinks the wording makes it very broad. It says you want the permit to say that the permitted use shall include any lawful retail use or purpose of the applicant, their tenants, their successors or their assigns, I think that is over broad. Mr. Howard said that is the point he wanted to make to the Board. Mr. Thrush stated that they are telling you that they want to put in this kind of facility but in the future we may change drastically and this exception will cover that. I don't recall any instances that we have done something like that in the past.

Mr. Rossell: From my understanding they just, to be compliant with their lease, this is the language that is in their lease. They just want whatever is acceptable in the ordinance or by the law for retail that is what they are asking for.

Mr. Howard: There had been a question about the retention pond about meeting the required setbacks. We have had retention ponds in the past that have had to request a variance. The ordinance states any pond, lake or earthen structure; this would be an earthen structure anything greater than 100 square feet, therefore that is why the retention pond is included as part of the variance. In the previous meeting a neighbor had asked if this would be fenced, if this passes and with it being a public facility we would require it to be fenced.

Mr. Rossell: We typically don't see that, in fact I have never seen it in IN, that setback requirement, but they would be agreeable to fencing.

Mr. Howard: The setback requirement was put in to protect the neighbor's property, tiles, runoff, and anything like that along property lines, and we set the entire thing at 100 feet. I would refer to Cheri Slee or Jeff Dawes (Surveyor/Drainage Board) they could express their concerns, thoughts, or questions with anything they have.

Mr. Dawes: In our discussion with the Drainage Board, the private drain on Merrick's property that comes from the south, do you have plans to relocate that?

Mr. Rossell: By law we can't block that water, based on the elevations that Mike provided that is very helpful, we would have to bypass, create a diversion and design that swale or pipe whatever it may be to accept that water, which we have had to do in the past and

have done. There must be a culvert under 16? Ms. Slee said she didn't know if it is a private tile. Mr. Rossell replied that there is a lot that is riding on the survey for this and that will tell a lot, but this information Mike provided is helpful information. We understand that we have to comply with the county drainage ordinance as well as the state law.

Ms. Slee stated concerns that the location of the building is based on like a guidance of the drain; it still needs to be field located. Mr. Rossell replied correct that would all be done as part of the survey.

Mr. Howard: You (Mr. Rossell) said that on a site like this only a percentage of the water or rain is allowed to runoff. Mr. Rossell replied we typically design, based on a year of storm, it is not really a percentage, it derives from a percentage. A 100 year storm a 50 year storm, what we would be required to do is detain a certain year storm and only release the predeveloped rate. I try to explain it like we fill up a bathtub and it is only allowed to go out a certain rate based on the size of the drain you have. The volume we store in that basin is calculated from the difference of post development and the pre-development so we can only release what goes there now up to a certain event. It often times helps because it slows down that water whereas right now it all goes there. So if you have a 100 year event or a 50 year event all that water is going there now, whereas if you get a 50 year event post development we are only allowed to release like a five year event at the pre-developed rate.

Mr. Howard: Reviewing photos of St. Rd. 16 looking east at approximately where the entrance is proposed and St. Rd. 15 at the intersection looking south, both of those sites have an elevation issue. On 16 I felt like the photo was pretty accurate standing at the road level, there is a crest on the road looking east. You talked about elevating the driveway to road level and I understand that, but by elevating the drive to the road level then we get into the issue of where is the water that goes there now going to go, it would have to be tiled through a culvert under the road. Mr. Rossell said that they would have to install a drive culvert to pass that water through east and west, we would have to design some type of junction or manhole to accept that water coming through from the south.

Mr. Howard: I realize that this is a preliminary plan and that the actual drawings haven't been completed yet, when I look at this and see where the parking area is and where the proposed septic field is my question would be where will you run the tiles? You are right up to the road right of way to get through there to get that water through there. Mr. Rossell, noted the last minute move to shift the septic, if you recall we did have it in the area up to the north, verses crossing the county tile we planted it to the south in the green space between the parking lot and the right of way. Based on a survey these components could shift around whether we put the septic in the rear of the building and the storm up in the front or we have a couple of different areas identified for those features.

Ms. Slee asked if that is still heavy pavement over the drainage line, correct. Mr. Rossell replied that it is into the drainage easement, but it is not over the drain. Ms. Slee stated that it would still be considered a permanent structure. Mr. Rossell replied that they would still have about 500 square feet of pavement in the utility easement. Ms. Slee reminded him that they would still need to talk to the Drainage Board regarding that and the storm water basin that you have overlapped, they may or may not give any variances on that, we try not to. Some counties say absolutely not.

Mr. Rice asked if the 10 variances are in addition to the current ordinances.

Mr. Howard: Based on the current site plan, those are the things that I identified that have the potential to require a variance. There is one reference in our ordinance book that deals with a retail business like this, there is nothing else in there except shopping center which would be a much bigger complex so I used the shopping center guidelines, restrictions and setbacks to base what we would most likely look at. He then discussed things with the plan that had the potential to require a variance. Mr. Rossell said a lot of the variance requests we can work with to comply with the ordinance; a lot of the planting and loading we can address those in the site plan to comply with the ordinance. The parking count and the parking setback is a little different than we are used to seeing. The parking count based on a retail facility is usually 1 per 200 square feet of usable floor area is the average. We have seen them all the way from 1 - 100 where they require 90 some spaces for a store like this all the way down to 14, the average is about 30 based on 1 per 200-250 square feet. Typically a different setback for the parking lot verses the building; here the parking lot and the building are the same. Usually the parking lot is 5, 10 or sometimes 20 feet. Mr. Howard stated that we have to look at it by the 1965 ordinance to protect both the developer and the county; it does identify, in the current ordinance, parking lots as accessories so accessories would need to meet those requirements based on the current ordinance. Mr. Rossell said that he completely understands and respects the ordinance.

Mr. Dawes: Referring to the site drawing asked Mr. Howard, the water coming from the south do you feel like they have room to route that, it seems it would be a pretty tight fit, where would they route the drainage? Mr. Howard said he agrees that it is tight fit based on the drawing, I don't know the particulars nor would I want to get involved with the septic field portion of it, but my understanding was always that you are not allowed to disturb the leach field area prior to putting in that leach field so I am not sure how they would get from the south side and get around it without getting in the right of way, like Mr. Rossell said they may have to make some adjustments to the drawings to get around through there. Mr. Rossell said between the parking and the right of way we could certainly get a swale or even a culvert pipe in there. Mr. Howard asked even if you get the water to the south side of the road and you use a culvert pipe or a swale or something there, then where is the water going to go. To go west as this is presented you can't be in the right of way, so you are going underneath the parking lot, you can't go through the

septic field. Mr. Rossell replied that most likely the septic would be in the north area, he feels confident that they can get the drainage to work through there instead of having it route through the property and whatever it does up there through the drain, I think it would be better to reroute it to the west and tie it into the tile. Ms. Slee stated that they would need to submit that plan to the Drainage Board. Mr. Rossell replies, right.

Mr. Dawes: Asked Mr. Rossell where they think they would reroute it.

Mr. Rossell: I think it would be better to intercept it where it hits the right of way and then divert that west and tie it in over at the drain.

Mr. Dawes: It looks like that would be your only choice, if you went to the east you are into the easement and would be right up against the neighbor's property line.

Ms. Slee: For the surface water you are going to run a swale over?

Mr. Rossell: We would have to look at the grades to see if that would work or if we would have to hard pipe it. Mr. Rossell asked if they were able to confirm the size of that drain.

Ms. Slee: The size of it is a 10" that is what we have got on record. To be clear with you, we are not going to go out there and dig that drain up because I have no funding except what these people pay into their assessments. Mr. Rossell replied that he was not inferring that, at the last meeting, it was unknown. Ms. Slee said we have to go per the record it is a 10".

Mr. Rossell: Ideally we would like to set a structure at the north side and then route that over to the west right of way and down, that would pick it up and then that would open that whole area up. That would get us a lot further away from the residents and be a more responsible development overall, verses try to avoid the drain easement and crowd the residence to the east, that is something we would have to investigate further and obviously work with the Drainage Board on.

Ms. Slee: That drain is pretty much overloaded right now. If you start pulling surface water into it through a riser or a manhole or something like that you are going to put that much more on it, like a storm drain.

Mr. Rossell: The only water we would be sending to it is what goes there now from the south. We could even look at upsizing from the north property line, upsizing that to a 12 or 15 inch, I know it would bottleneck back down as it goes.

Ms. Slee: There would be a lot of design we need to look at, because as it goes into the 18; it is already pretty much overloaded.

Mr. Curless opened the floor for public comment:

Mr. Ron McColley: We own property to the southwest of that; we have a lot of water problems there anyway. We were here (PCB meeting) on July 2nd on July 3rd we had a 10 year rain, so I took some pictures. Mr. McColley shared photos of the intersection after the rain showing where the water stands. On the photo from St. Rd. 15 looking east that is just the runoff from on west of me it is all coming from there if they put this in there then it is going to back up more, then it will go through Yokum's, Donaldson's, then I get the rest of the water on the other end because I have property to the north. He stated that at one time during the storm the water was running over the intersection of 15 & 16.

Mr. Curless asked if there is any chance that the storm water basin that they have to put in would help this.

Larry Donaldson, a neighboring property owner stated that he agrees 100% with what he (Mr. McColley) said. Water runs downhill and we are downhill. The water has been a problem for many years. Cheri has put lot of work into it, we've got a lot more work to do, and it is costing us a lot of money. He shared that he has been told by an agronomist that if you build something up there you won't just get rainwater but everything with a well, a bathroom, all this other stuff, it multiplies. Don Yocum, he lives close enough to that, he has water problems already. Here is another Donaldson here, he farms Don Yocum's and he gets water down through there, looks like about half of a river. Ms. Slee said Merricks have all that water draining and it runs out on top of the ground. Mr. Donaldson continued, you have a house to the east of where he wants to build this business, it is way too close, and there are three kids. There are a lot better places to build this store than on the side of that hill. It just isn't right, water runs downhill and we are downhill. We don't need it.

Kristina Lynn stated that she was speaking primarily on behalf of Todd Vigar who owns Todd's Corner at the corner of St. Rd. 16 and 700 W at the edge of Roann; we understand that this proposed building in not within the town limits of Roann but it certainly would affect the citizens of the town of Roann which is approximately 2 miles west of this proposed location. A couple of concerns that we want to point out on behalf of Mr. Vigar and more generally the citizens of Roann:

- If SE is granted & and all the other Variances are approved ultimately the developer would own this real estate and they have indicated to you that there would be a 15 year lease with options to extend that by 5 years, but that 15 year lease is no guarantee that this is what is going to be there even for that 15 years, businesses go bankrupt, businesses close. That lease isn't a guarantee that this business is what is going to be there for 15 years, As Mr. Thrush pointed out the language they are requesting is very broad and any lawful retail business could be placed there, which could be a huge difference from what is being proposed currently and what the Plan Commission would be considering or thinking that

this is going to be. There is no guarantee that if this Special Exception is granted that that is what is going to be there.

- Problems with drainage.
- Problems with traffic, the driveway and how that would match up, people turning on and off the highway from this business and the possibility of accidents, which is certainly a concern.
- Generally the esthetics of the area, this is an agricultural area, a rural area and to plop a concrete, or paved parking area, and a retail building in this area is completely outside the general esthetics of this area. I think that is a concern for any of us who live in that area of the county. This is an agriculture area, a rural area; there is a small town 2 miles away, this is not where you plop a retail business down.
- As I understand the proposed use of this area in the request for the SE the business that this is isn't something that is going to draw into the county or that area of the county people from outside the area. Someone from Warsaw is not going to come down to shop at this area, so we are not bringing in people, we are not bringing in business or visitors to this area, rather we are going to detract and take business from existing businesses, most of which are locally owned small businesses. I don't know how many of you own small businesses, but they are difficult to operate, you are operating on a shoestring most of the time for these small local shops of people who live in this county and pay taxes in this county and have lived in this county for generations. That especially for Mr. Vigar is a primary concern. He owns Todd's Corner, it is a gas station convenience store this could draw from that business from especially the convenience store part of that and frankly he can't make a go of it on gasoline alone so ultimately we would lose that entire business which is a huge asset to the town of Roann and that area of the county in general. Those are concerns we are asking the Commission to consider in making a decision.

Mr. Donaldson: There is farm ground all around, if people say from New York stop in there, they won't know what we are doing. With everything considered I think he could find a better place to build this building.

Don Yokum: If we get 4 inches of rain we have 18 inches of water running across the back of our property without any problem at all, it creates washes. Donaldson's are farming it, but you can't farm it with that kind of water running across it. I am really against it.

Ryan Donaldson: I do have a small business, the amount of pigs I have less than a mile away. I have IDEM permits to spread manure within 1 mile of this facility. One of my big concerns is being able to apply manure to ground that I already have been permitted for. Like my grandpa said, you have somebody stop in that knows absolutely nothing about the community or what goes on, then they are giving me headaches, and I already

have enough to do dealing with IDEM on a regular basis let alone having somebody complain about odor or whatnot. That is just something I don't need. I do want to touch on drainage a bit; we already have issues with getting water in the tile. It is not a good idea for me, my business. There is another hog operation within a mile from me that he has permits as well. There is a lot of livestock in that area that people don't know a lot about and it is just not a place for a convenience store.

Mr. Curless asked if there were any further comments or questions.

Mr. Curless: The BZA would make the final decision. He then asked if there was a motion for a favorable or unfavorable recommendation to the Board of Zoning Appeals. Mr. Howard reminded the Board members that on a vote like this an unfavorable recommendation would still go before the Board of Zoning Appeals, unless the applicant withdraws the application. Mr. Campbell asked if there is anyone here who would like to see this take place, we have heard the issues, is there anyone here who would like to see this as a business that could help Roann grow. Mr. Curless stated that we try to carry out the wishes of the residents, maybe there are angles that we haven't heard, maybe the water could be taken care of through an engineering process, and maybe it could be made a case to be an asset to the community and the residents of this area. We would certainly want to take that into consideration. There were no responses.

Mr. Vogel made the motion to give an unfavorable recommendation to the BZA. This was seconded by Patty Godfroy. A roll call vote was taken, all members present voted to give an unfavorable recommendation to the BZA.

Mr. Rossell thanked the Board. Mr. Howard told him that the BZA meeting will be held on Tuesday, August 27th at 7:00 pm.

Mr. Howard then introduced Ms. Lori Keresztes with Fox Lake Farms and IN Deer Review. Ms. Keresztes had contacted the office asking about consideration of having a hunting preserve in the county. The site location address is 5643 W 1400 N, N. Manchester, Pleasant Twp. It is a 135.5 acre parcel from which 69.9 acres are currently in forestry reserve. Mr. Borkholder and Mr. Shafer are listed as the deeded owners, Ms. Keresztes stated that it is still listed that way but Mr. Borkholder will be the sole property owner. Ms. Keresztes provided Board members with folders detailing the purpose of the facility along with information that would be required of any person using the facility for hunting. Ms. Keresztes stated that she has been working with Mr. Eddie Ray Borkholder, serving on the IN Deer and Elk Farmers Association and IN Deer Advisory Council we put together a standard for hunting preserves that goes above and beyond what the law states. It just gives a good standard safety recommendation. That is how we want to structure the preserve and how we want to run it. A lot of it focuses on safety protocols and it follows the law exactly. Preserves are regulated by the IN Board of Animal Health (BOAH). We have found in researching that a lot of the counties don't

have categories for us, there are 13 preserves in operation in IN and I know there are more coming up. Some of them fall under a Special Exception for Recreation and some fall under Ag because hunting is an allowed activity under Ag. Mr. Borkholder operates a deer farm in Bremen IN and is interested in starting a deer hunting preserve in Pleasant Twp., Wabash County. She continued with how they have planned to structure the preserve and how they want to run it. She said many counties don't have regulations for this type of business. Mr. Howard told her that under the current ordinance it would be called a Special Exception to operate an Outdoor Recreational Facility, she stated that they would like to apply for a Special Exception. She said that the preserve would provide guided hunting in Wabash County. In 2017 there were 1,110 deer harvested in Wabash County, there aren't any preserves, so these were harvested on unguided hunts. You could have someone unfamiliar with firearms, or issues with property boundaries there is no one there to tell them where the boundaries are and what is on the other side of them. In our case we have boundaries established, a guide with every hunter and there is a limit on the number of people permitted to hunt at one time. We are only going to hunt with a max of 3 at one time during firearms and 4 with archery. This is something that people with a hobby of hunting would do, they are able to come in and get that trophy animal that they have been after, and have a great time doing it and have a hunting experience. These animals are set out there and they roam free on the 135 acres and then we have people that come in and we guide them on hunts. You are not guaranteed an animal because in other preserves I have been in sometimes you sit and you never see anything. It just depends on how many animals are there and if they cross your path.

Mr. Campbell asked if there is a fence all around the property. Ms. Keresztes replied yes, 8 foot high fencing. Mr. Campbell asked, so the animals are placed on the property. Ms. Keresztes answered yes, we are deer farmers and we grow deer for this specific purpose. In our area we have over 90 preserves that we can sell our deer to and that is just in surrounding states and Indiana as well. We follow the law exactly; we want to be a good example. Eddie Ray has always had an exceptional record as far as safety, keeping his animals healthy, following regulations with the deer industry that we have to as far as certified herds and he has a certified herd. We know that these animals are vaccinated, wormed, they are healthy. We know that we are putting healthy, disease free animals on these preserves. Mr. Borkholder has been deer farming since 1983 and the whole time has had an exceptional record. To have a preserve run by Eddie Ray and his sons, I am working for them putting this together, would be a great hunting opportunity for several people. It is self-limiting in that there are not a lot of people that

come in to do this it is kind of the market that dictates who is going to come. This would be a great opportunity for the county. In 2018 the highest number of hunting was 77, so a preserve had 77 hunts and it ranged from 0 to 77 from 77 it dropped significantly to 25. There is no housing on the property that anyone would stay in; they have a little cabin there and a pump, there are no bathrooms. Anyone coming in would have to stay at a hotel or Bed & Breakfast. Mr. Curless asked if preserves follow hunting season guidelines. Ms. Keresztes stated that they do, in the law they have to follow the hunting season. They can start September 1 and go through the end of March. In her experience the hunters don't want animals in velvet, most want to hunt during rut. Sept. 1 is pretty early, the likelihood of that is pretty slim. We follow the timeframe, however, in a preserve setting we can use any firearm or archery that is legal in the state of IN, we do have people ask about high powered rifles, when do you need to use that? In IN it doesn't make sense, in Texas where you have such a vast area of land to cover they do have that option if they want to, but we have safety protocol after safety protocol in place so when these people get with us in a stand they don't fire their weapon until we tell them they can. We know what is over the next rise, or where the next stand is, or are you going to cross that property line. Our goal is that nothing crosses a property line, no bullet, no arrow. We want to respect our neighbors and the boundaries just like we hope that they would respect us. She said to that regard Mr. Borkholder has been a great neighbor, he has talked with the adjacent neighbors; she reported that there is only one neighbor who is upset; because he is concerned that the fence will block the deer movement in his yard. In my experience with that, they will come back. The rest of the neighbors were fine with it.

Mr. Vogel asked, when you start you fence the property, Ms. Keresztes replied that is correct. Mr. Vogel then asked so do you walk the property to chase out the deer that are naturally there. Ms. Keresztes: According to the law we have to make every effort to get rid of the wild herd. Mr. Vogel asked how this is done. Ms. Keresztes stated we have done in the past is we fence three sides of the property, we take a chain of people and you go straight through that woods, you clap and make noise and you will get every one of those wild herd, and as soon as you are done you stretch that last fence line.

Mr. Vogel: Mr. Borkholder will bring in deer, do they breed and raise there, or does he have them at the farm and as they are hunted, does he bring more down? Ms. Keresztes replied that typically that will happen because normally that is what will happen in a preserve. He can bring in a doe and that is called a natural addition, and we are responsible for whatever is in there and they (BOAH) inspects our fences and everything there and they license us. Once a year we have to do the licensing, we have to pass the inspection, and we have to turn in a herd inventory. As a deer farmer every animal on your premise is accounted for and they are very strict about it because there is a lot of controversy surrounding that occupation. We are very careful and very cognizant of it. You have to keep very good records, you have to know where your animal is at all times. He is probably going to pull from his herd and bring his stock for bucks down there. Everything that he takes there has to be accounted for. Anything that he will bring from Bremen will be on Wabash property and have to be accounted for so as they are hunted they will match up, she went on to explain the natural addition of a doe and how they are accounted for. Indiana has no record of CWD decrease, it is surrounding us but it is not here. She went on to discuss diseases and treatment.

Mr. Howard informed Ms. Keresztes that this would require a Special Exception application for an Outdoor Recreational Facility, he explained the paperwork process. The next Plan Commission Board meeting would be Thursday, September 5 at 7:00 pm, at that time you would present your request to the Plan Commission Board seeking a favorable recommendation to the Board of Zoning Appeals, that meeting would be held on Tuesday, September 24th at 7:00 pm.

Mr. Vogel stated that he likes the idea that hunters are supervised. A property owner of this parcel at one time was seeking to develop a target range, which received a lot of opposition. Ms. Keresztes stated that there would only be 3 people at the most hunting, and 4 in archery season.

Mr. Borkholder stated that Dr. Shafer's name is still on the deed, but the Borkholder's have bought him out and are in the process of getting the deed changed to their name only.

Mr. Curless: The next item on the agenda is complaint updates.

Mr. Howard gave the following updates:

- McCarty property in Servia, he had until Aug. 12 to have the structure either renovated or razed, he shared recent photos of the property nothing done with the house, will be filing an unsafe premise order.
- Cornett property in Roann, deadline was July 22, he has hauled in dirt, nothing leveled yet, Mr. Thrush is working on that one.
- Fanning/Moore property at Sandy Beach, we will be filing an unsafe premise order.
- Barbara Nelson mobile home in Lagro, she has filed a denial stating that the mobile home is fit for living conditions, Mr. Thrush has asked for a trial date.
- Property at St. Rd. 15N and Angling Rd., pallets and junk vehicles, Mr. Denton was taken to court in 2016 and ordered to clean up the property and maintain it, we are taking to court for contempt.
- NORAG, Mr. Thrush has paperwork to file unsafe premise order.
- Mr. Eilts installed a septic system for Zoomers without a permit; the Health Department is working on this.

Mr. Thrush stated that we need a motion to proceed on the unsafe premise orders for the Sandra Moore/Jeffrey Fanning property and the John McCarty property. Mr. Vogel made the motion to proceed with the Findings of Fact for the unsafe premise order on the Fanning/Moore property at Sandy Beach; this was seconded by Mr. Dawes, the motion carried. Mr. Campbell made the motion to proceed with the Findings of Fact for the unsafe premise order on the John McCarty property in Servia; this was seconded by Ms. Godfroy, the motion carried. Findings of Fact were signed by Mr. Curless.

There being no further business Mr. Curless asked for a motion to adjourn. Mr. Vogel made the motion to adjourn; this was seconded by Mr. Campbell. The meeting adjourned at 8:35 pm.

Libby Cook
Secretary ~ Wabash County Plan Commission
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