

WABASH COUNTY PLAN COMMISSION

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WABASH COUNTY PLAN COMMISSION **BOARD MEETING MINUTES**

SEPTEMBER 5, 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, Christian Rosen, Cheri Slee, Joe Vogel, Larry Thrush, Mike Howard, Libby Cook, Annette Urschel, LeRoy Bishop, Dorcus Bishop, Kris Kerlin, Klay Bechtold, Tyler Stoppenhagen, Eric Bostwick, Josie Borkholder, Larry Hunter, Derek Borkholder, Eddie Ray Borkholder, Lyndon Miller, Brady Miller, Lori Keresztes, Josh & Sarah Gaylourd, Shelly Chavis

The September 5th 2019 meeting of the Wabash County Plan Commission Board was opened at 7:00 pm by Assistant Chairman, Christian Rosen. Mr. Rosen asked if there was a motion to approve the minutes of the August 1st meeting. Jeff Dawes made the motion to approve the minutes as presented, this was seconded by Joe Vogel, motion carried. The minutes will stand approved.

Mr. Rosen: This first item on the agenda is SE #7, Eric Bostwick requesting to construct a pond in Lagro Twp. Mr. Howard gave a review of information on the pond: the contractor will be Eric Bostwick, Earth Works LLC; the approximate water surface area will be less than one half acre. He will be asking for a variance from the west property line setback as he would only be about 30 feet from that property line, will meet the road setback. There is no floodplain or flowage easement, there will not be a dam, no emergency overflow. The pond will be approximately 10 feet deep; 6" overflow outlet into private ditch; will not be a geothermal feed. The nearest certified drain is over a mile, so there is no issue there. Jeff Dawes stated that the Drainage Board gave a favorable recommendation at their meeting on 8/19/2019. Board members reviewed the information presented to them. Mr. Rosen asked if there were any questions or comments, there being none he asked for a motion on the request. Curt Campbell made

the motion to approve the request, this was seconded by Mr. Dawes. The motion carried, Special Exception #7 was given a favorable recommendation to the Board of Zoning Appeals. Mr. Howard informed Mr. Bostwick of the meeting date which will be Sept. 24th at 7:00 pm.

Mr. Rosen: The next item on the agenda is SE #8, Josh & Sarah Gaylourd requesting to construct a pond in Lagro Twp. Mr. Howard reviewed the plans for the pond, Todd Kline will be the contractor; approximate water surface area will be ¼ acre; a variance will be required from the east and south property line setbacks, we do have signed letters from his neighbors stating that they have no objection to the variance to the setback; maximum depth 12 ft.; dam total length will be 150 ft., base width 25 ft., top width 10 ft.; overflow size 6" tile; outlet drain info 6" tile; emergency over flow 10 ft. wide; water shed into pond approximately 1 acre, no geothermal feed. Mr. Dawes stated that the Drainage Board discussed the pond at their last meeting and gave a favorable recommendation, the minutes of the meeting won't be available until after the Sept. 16th meeting. Mr. Rosen asked if there were any questions or comments, there being none he asked if there was a motion. Mr. Dawes made the motion to give a favorable recommendation to the Board of Zoning Appeals, this was seconded by Patty Godfroy, the motion carried. Mr. Howard informed the Gaylourd's that the final hearing for their request would be heard at the BZA meeting on Tuesday, Sept. 24 at 7:00 pm.

Mr. Howard informed the Board that he has attended the Town Board meetings for the towns of Roann, Lagro, and Lafontaine to review the draft of the Wabash County Ordinance. He then asked the Board for their recommendation to present the draft of the Ordinance Book to the Wabash County Commissioners and the Wabash County Attorney, Mr. Steve Downs for final approval. Mr. Vogel made the motion to approve presenting the Draft of the Ordinance Book to the Commissioners and the County Attorney Mr. Steve Downs, this was seconded by Mr. Campbell. The motion carried.

Mr. Howard then updated the Board on the following:

- Parcel Review Committee, we are working with Co. Attorney Steve Downs at this time.
- Todd Custer, Request for a primitive campground and canoe rental in Chester Twp. Mr. Custer has been getting his permitting in order and would like his request to be heard at the October 3rd meeting. Notices will be sent to the neighboring property owners who requested to be notified when the hearing would be held.

Mr. Rosen: The next item on the agenda is Lori Keresztes representing Four Horsemen.

Mr. Howard: Special Exception #6, Mr. Eddie Ray Borkholder (Four Horsemen) is seeking to operate an Outdoor Commercial Recreational Enterprise in an Ag zone area located at 5643 W 1400 N, N. Manchester, Pleasant Twp. Total acreage of the property is 135.522 with 69.9 acres of this listed as Forest Reserve, I have talked with the State and the DNR about that and in order to operate a hunting preserve on this property it would have to be taken out of Forest Reserve. Mr. Borkholder is aware of this and will need to

get with the Auditor and Assessor's offices to get the paperwork to do this if this application is approved.

Lori Keresztes stated that she is working Mr. Eddie Ray Borkholder, I have served on two Boards with Eddie Ray, which are IDAC and IDEFA and she has been a deer farmer since 2013, I am active in our local and National Associations along with Eddie Ray and his sons. She explained that a hunting preserve is where people pay to come in to hunt, this was legalized in 2015 with Senate Ruled Act #109 so it is legal, so the question is not whether or not you can do this, but the question is the zoning that we are looking at. With that in mind we want to tell you what this is, people come in and pay to hunt. We raise deer, there is a large deer farming population in Northern Indiana, we raise them specifically for this purpose. Our top concern is safety. I touched on this before but we really want to address it tonight. If we are unsafe or we have an incident or accident, that would be the end of the preserve and it would also reflect very poorly on the deer farmers in Indiana and the other preserve owners in Indiana and across the nation as well. Eddie Ray already adheres to the Indiana Deer Advisory Council Book (IDAC), that gives standards and ethics that go above and beyond the law that we do. She shared a letter from Mr. Borkholder which stated "As the owner of Pine Creek Deer Farm and a multi term board member of the Indiana Deer and Elk Farmers Association, I consider it very important to run my farm and preserve by the law and maintain excellent standards. The Indiana Deer Advisory Council has developed a protocol for great practices for Indiana preserves. It goes above and beyond the law requirements. I am dedicated to maintaining these excellent standards in the operation of my preserve. Sincerely, Eddie Ray Borkholder (owner)". He has agreed to abide by those standards that go above and beyond and we have included a few other things that go above and beyond too. As deer breeders we follow the law we also follow the BOAH guidelines. Mr. Borkholder has a certified herd, the reason why this is important is because he will be stocking the preserve with deer from his herd. What that means is and this is part of the overall safety, deer and wildlife safety and health. What that means is he tests for CWD, anything that dies that is over 1 year of age gets tested. Every 3 years we test for TB and Brucellosis. He has a clean herd and has maintained a clean herd since inception. He has a vaccination program that goes above and beyond the state standards, he worms the animals, they receive a complete feed, they are in excellent health. I have heard concerns that the animals spread disease, but this is misinformation spread by people who are not in the deer industry. We are kind of at the leading edge of research regarding CWD because it affects deer farmers directly. I can tell you that our deer are at far greater risk of disease from contact with the wild herd than the wild herd would ever be from a captive herd. The wild herd is not vaccinated, it is not wormed, and it is not monitored every single day for disease, whereas a captive herd is. Hunters who harvest a preserve animal are receiving an animal that is clean and healthy. 100 % are tested for CWD whereas less than 1/10 of 1% of the wild herd is tested for CWD. It is voluntary testing for the wild herd, however testing is mandatory for the preserve. You won't continue to have a license if you fail to send in what you harvest. We have an Operation Plan which includes: Protocol for escaped animals, people say that if they escape, they will spread disease, that is 99.9% untrue. If we have an escaped animal, we have adopted the IDEC handbook and you can find that protocol in there. We have to account for every deer on the farm and

preserve. The BOAH will come in and do an inspection once a year and we have to show what was harvested and where it came from so they can do trace backs. It is a terminal market, once an animal is placed in the preserve it is there to be hunted. We are accountable to BOAH, whereas anybody who hunts in the wild herd is not accountable to the BOAH, it is just all voluntary. The other part that we are concerned about is safety, because of that we go to great extremes, we do not want to ever have an accident or incident take place on a preserve. No hunting accidents or incidents have happened on a preserve in Indiana or nationwide. I have an e-mail from the executive director of the Deer Breeder Corp., a nationwide organization he states "to this date there have been no incidents and that you are infinitely more safe hunting in a preserve with a guide than you are hunting outside the fence. Annually, say 1,000 accidents happen per year hunting, they are not occurring inside the fence, and they are not occurring to people on the outside of the fence or the property owners on the outside of the fence, it just hasn't happened. Owners put a lot into the preserve to ensure safety of their clients and customers, and surrounding property owners. Going to great lengths to do that is very important. We are required to have a safety protocol in place, it translates over to public safety as well, not only is it for us but for the public as well. Each hunter regardless of years of experience must sign, agree, and uphold the safety protocols of the Four Horsemen's or they will not be allowed to hunt period, no exceptions. In order to hold our hunters accountable if you get someone who is excited and wants to shoot, number 1 they are with a guide; the guide is going to say "you are not going to shoot until we give you permission to shoot". We are going to know where the safe shooting lane is going to be, we know the perimeter of the property. Our goal is to never have ammunition, an arrow or anything cross that property line just for safety sake. If you are hunting at a preserve and you are sitting in a stand with a guide, he knows where everybody is. It is pretty hard for a trespasser to wander onto a property that has an 8 foot high fence and accidentally be shot. We know who is on the preserve at all times and who is in a stand at all times, that is very important to us as well as communication between the guides. It is a protocol; you have to communicate when you are in a stand, when you are coming down from the stand, what route you are taking back to wherever you are going. To hold the hunter accountable, we have a firearm and property usage agreement, they have to sign this and it is extensive. Any deviation of these rules will result in forfeiture of hunting and there will be no refund, they have to sign this and people pay top dollar for this. If they don't listen to us, they are done, I have never had an incident. They have to follow the instructions of the guide. They have to stay in the blind until instructed by the guide. Some points brought out by Ms. Keresztes:

- No shooting by a hunter until the guide tells them they can fire because we know what is beyond their target. If they wound an animal the hunt is considered complete. If our hunter wounds an animal we are going to find it.
- They can only use firearms that are legal in the state of IN. They can't violate any state or federal laws.
- Up to three hunters hunting at one time we will cycle through them if more are present (4 hunters if archery); must have a hunting license we are responsible for issuing that.
- Must demonstrate knowledge of their weapon and its safety features; if the guide asks them to lower their firearm or change the direction they have to comply with

them, this is for their own safety. Safety of our guests and staff is of utmost importance.

- Follow NRA rules for safe gun handling, the gun is pointed in a safe direction, finger off the trigger until they are ready to shoot, always keep the gun unloaded until ready to use, policy is keep the gun unloaded until you are in the stand /blind. Load it in the stand and unload it when you are ready to leave the stand. The reason is if you look at accident reports, incidents happen on the way to the stand or on the way down. Hunters have to be accompanied by a guide; the guide is responsible for making sure the rules are followed.
- Shooting lanes, blinds and stands are elevated so shots are aimed downward.
- No shots ever taken beyond 180 degrees parallel of the perimeter fence.
- Low hunter density, for safety.
- Emergency Action Plan, notification, emergency command procedures and responsibilities, a response plan for personal injuries. An employee of Four Horsemen on the property at all times during a hunt who is CPR and First Aid certified.
- Some of the risks of hunting outside of the fence (preserve areas) include: you are relying on the hunter to take a hunter safety course, have knowledge of his weapon, what kind of skills they have; poaching, injuries, falling from tree stands, accidents. The majority of hunting accidents are falling out of a tree stand, in the preserve the hunter will have a safety harness on when in the stand.
- In the state there are about 392,000 hunters that describe themselves as hunters. The state hosts about 350 hunter safety classes, how many people are taking that class? Hunting behind a fence, you know who you are hunting with and you do have a guide.
- Preserves are inspected annually by BOAH.
- The state of Indiana has no safety requirements for hunters so it is up to the individual hunter. In our case, it is up to us and we take it very seriously.

Mr. Howard asked Ms. Keresztes to review lodging, the customers will not be staying on the site, will there be a structure on the property to lock up guns, ammunition, etc.? Ms. Keresztes replied that it is a part of our safety protocol that guns be locked up, there is a cabin on the property, the guns will be locked up in the cabin until it is time to hunt. There is no sewage system on the property so no one would be staying there.

Mr. Howard asked about the days of operation will this be hunting 7 days a week. Ms. Keresztes stated that the preserves are permitted to hunt from September 1 to March 1, theoretically we could hunt any day of the week. In 2017 there were 77 hunts at one preserve all the way down to 0 hunts. The next one behind the 77 was down in the twenties. It is kind of a self-regulating industry, it goes by the demand of the market.

Mr. Campbell asked if there were separate seasons for bow and gun hunting. Ms. Keresztes replied that they don't have to follow that, the law says that they have to use weapons that are legal for hunting in the state of IN, but the law doesn't say that we have to follow those particular times to hunt with that. We can use firearms starting Sept. 1 and use them all through our season.

Mr. Campbell asked where the nearest preserve is located that we could kind of use as a model, Ms. Kersztes replied Bellar's Preserve in Peru, IN. Mr. Howard mentioned S. Whitley. An audience member asked how big the Bellar Preserve is, he was told about 500 - 700 acres, he then stated, it's not 135 acres.

Mr. Howard brought up that, in previous discussion, some of the higher powered rifles were not necessarily recommended for use on the property simply because you are in a smaller area and those are used more out west in larger more open areas. Would there be any consideration to being restricted to shotgun and bow only? Ms. Keresztes stated that she does not want to say that there should be any restrictions. If you look at statistics since high powered rifles have been permitted in IN there hasn't been any incidents on preserves with them. I don't see a reason to restrict it, I think we are infinitely safer sitting up in a stand with a guide saying you can shoot now because I know what is behind the target rather than just having someone with a high powered rifle outside the fence hunting with it. I don't see that it would be necessary for us to restrict our hunters.

Mr. Howard: If this were to be passed and we move forward with this a few things to consider: Parking for a Recreational Enterprise in an Ag zone could be no closer than 25 feet from the property line for the parking area; loading birth would need to be 50 feet from the line. Buffering would require 8 feet high solid screening within 5 years between the preserve and all adjoining residential uses. You are pretty close to that now. Gate entrances, maximum 2 entrances that could be used for the public coming in and out. Ms. Keresztes replied we would like to only have one public access.

Are there any plans for potential structures on the property besides the cabin that is currently there? Ms. Keresztes said nothing planned currently. Mr. Howard reviewed setback requirements for any potential structures.

Mr. Howard: How do you secure the property during non-hunting times. Ms. Keresztes said that the gates would be locked. Mr. Howard asked if the cabin would be within the hunting area. Ms. Keresztes replied yes.

Mr. Howard: Would there be a shooting range to site guns before going to the field? Ms. Keresztes, yes, that is something that we want them to do.

Mr. Howard: During a shotgun hunt there would be a maximum of 3 hunters with guides allowed at one time, if it is an all archery hunt you would allow up to 4 hunters and guides at one time? Ms. Keresztes: Yes

Mr. Howard: How are your guides certified? Ms. Keresztes: There is a training program, they need to have hunting experience. They are going to hunt with us to make sure they are approved. They are also aware that they are responsible, they will be held accountable for everything that they do. They absolutely have to be trained and be knowledgeable of all aspects.

Mr. Howard: Will there be any advertising on the property? Ms. Keresztes: I don't believe we are going to advertise on the property, probably elsewhere. We are required to have 14 x 14 signs "Hunting Preserve" anywhere there is an entrance on the gates. I am not saying that he won't put out a small sign but it will not be like a billboard announcing "Four Horsemen" is here.

Mr. Howard: How many deer would be placed on the property at one time? Ms. Keresztes: I would say probably a maximum of 20. Mr. Howard: Noble County recently started a program similar to this, they call it a Hunt Club, they are limiting the number of deer that can be harvested per year. I believe they started with 50 and were allowed to increase the count by 4 each year up to a total of 62, if they wanted to increase beyond the 62 then they would have to go back before the Noble Co. BZA.

Mr. Howard: I have been in contact with Shelly Chavis, DVM, with the Indiana State Board of Animal Health and she is present tonight. One thing I asked was: Wabash County is pretty heavy in the swine and poultry industry, are there any concerns of disease spreading issues between the deer, swine, poultry? Ms. Chavis said that there isn't anything that she is aware of. She noted that the composition of deer is similar to that of a goat. You talked about CWD, you stated that it is in other states but there are no recorded cases in IN., correct? Ms. Keresztes replied that is correct.

Mr. Howard: your firearms, property usage agreement and hunting protocol information in the packet you presented is significant information for the Board as far as what you do require. I have talked a little bit about limiting it to shotgun and archery, I feel at this time you are not in favor of that, I just wanted to get your feelings about that.

Mr. Howard: The location of the blinds and stands, you talked about the 180 degree parallel line and that you would be facing in from the boundaries so at no time would they be shooting back toward the fence. Ms. Keresztes: Our goal is to have all shooting to face in on the property.

Mr. Howard: There are 69.9 acres of the property that is in Forrest Reserve that will have to come out if this is permitted, I would recommend not making that change until you know for sure that the preserve will be approved. If this passes nothing could be done until it is taken out of Forrest Reserve.

Mr. Campbell asked, if you have a maximum of 20 deer, say you harvest 18 and have 2 months left in the season do you bring more in? You could be bringing deer in at any time. In between hunting seasons you are going to leave what is there on the property? Ms. Keresztes replied yes, if we have hunters for them. Protocol for having deer there is that you have to feed and water them daily. Mr. Campbell questioned how the deer are fed and if the deer get used to people. Ms. Keresztes stated that if someone is hunting and they make a food plot or a feeder and there is grain falling on the ground and they are out there routinely with food for the wild herd, it is the same thing, do they get used to humans or do they get used to somebody coming at this time of day? I have seen the wild herd on a property that I have hunted, they saw me coming and they knew that I

was coming out with food. Deer can habituate to anything, but does it mean that they are tame, no they are not a tame animal. Deer operate on 99 % instinct and 1% thought. Ask any deer farmer they are going to run from you. Deer aren't the easiest thing to raise, we work hard at what we do to make sure our deer are healthy. We don't want our deer to be tame, we want them to be as wild as possible.

Ms. Godfroy: Just to clarify, out of season there will be deer remaining there and you will feed them or they go back? Ms. Kersztes replied that once they are on the preserve they are there, they either get harvested and then you are done for the season or you are going to maintain them. They have to have a food source and clean water.

Mr. Campbell asked about providing water for the deer. Ms. Kersztes replied that there is a natural stream running through the property that they can drink from.

Mr. Rosen opened the floor to questions and comments from the audience.

Larry Hunter stated that he raises a certified herd close to the Borkholder deer farm. I can speak to the quality of the deer and the character of Eddie. I have free range hunting on other property that I own, on the free range side you will have children hunting, you have neighbors trespassing, you will have the occasional guy who says "I'm lost", you also have neighbors who shoot a deer and even though the law says that you can't go on someone else's property without their permission, they are walking on their property. So in all of our free range hunting we are susceptible to accidents in a big way. I sell deer to a preserve in Pierceton, I have spent many hours there and in that preserve there is no comparison to the safety measures. Usually the blinds are to the back of the fence so you don't shoot towards another close property, you are shooting in. Neighbors can't just walk in, kids can't just walk in, somebody who shot a deer can't just walk in, and the lost guy who says he is lost but really isn't can't walk in. In my fenced areas the deer don't try to jump out, they are not hard on the fence, they are not trying to find a way to get out. I have one acre plots where I raise my deer, if you would go to where the bucks are they are going to try to go as far away from you as they can, they are not walking up there eating apples out of your hand they are wanting to get away from you. I would like to address one more issue, the shotgun or the high power rifles, I have done both, you have a certain range and if you change your ammunition your accuracy with the shotgun becomes a lot more limited because of the kick of the gun. With a high-power rifle, you have more control because it doesn't kick as hard. In my own personal experience, I have had better luck shooting a deer with a high power rifle than I have had with a shotgun.

Tyler Stoppenhagen, I live just west of the proposed preserve. Eddie invited me to his farm, I went there, it is a nice operation. He is a great guy, we sat and talked and I have told him my opposition to high fence hunting. I have been bow hunting since I was 10 years old, never been a fan of high fence hunting especially on 135 acres. I don't know of any preserve that is fenced in 135 acres. Ms. Keresztes touched on the State Park hunts, you said maybe 7 hunters per square mile, that equals 91 acres per hunter, you have 3 to 4 hunters on 135 acres that equals 45 acres per hunter so in retrospect that would be twice as bad or twice as less ground per hunter. That raised a red flag to me right away. Ms.

Keresztes stated that she has the statistics and that it is actually a very high hunter density. He then asked, the guys coming in have they been hunting or have they never been hunting? Because it seems like outside fence hunters don't know what they are doing in your mind, so are these guys buying a high power rifle and just walking a fence and somebody says shoot that deer? Ms. Kersztes stated that the reason why she is pointing out the accidents and incidents that happen outside of a fence is because none of these have happened in the United States inside of the fence. These are things that have happened when people are hunting the wild herd outside of the fence, I can't compare that to inside the fence because it hasn't happened inside the fence. It doesn't matter who comes, if I have someone with very limited experience of hunting, I know that I have an experienced guide sitting right next to them. How do you get experience, you hunt and what is the best way to do it, do it with someone who knows what they are doing. Mr. Stoppenhagen said the he was taught by his grandfather. Mr. Stoppenhagen stated that he was brought up and taught by my grandfather, Ms. Keresztes said that is great, but not everybody has that experience. Mr. Stoppenhagen stated that he has a couple of young kids, I am from rural Adams County, my whole life until last September when I bought my wife her dream property where I reside now. A high fence hunting preserve was not in our plans when we moved to beautiful Wabash County. My main concern is the safety of my kids I know you have great safety protocols, but accidents happen you can't avoid that. Elevated blinds with high powered rifles you are not going to hit your target every time. I live on one of the tallest points of that ridge, I would probably be eye to eye with one of those blinds. You say shooting into the property, you can only enter the property from the north and west, so where are your blinds situated? Are you not going to have any blinds shooting towards my place or my neighbors places. I guess I don't understand how you go after these deer in such a little area? Ms. Keresztes responded, as someone who has guided hunts in a high fence facility, I would be the dumbest guide if I let my hunter shoot in a direction where I thought it might hit my house or your house or somebody outside the fence. That is the whole point in training them and having this very stringent protocol. When we are sitting up in a blind we are shooting down and they are not going to pull the trigger until we tell them they can. Mr. Stoppenhagen asked, generally I think they aren't butted up against residential properties correct? Ms. Keresztes responded lots of them are, in IN and KY they average 100 to 200 acres. TX has 1,000 acres. Mr. Stoppenhagen stated that he has a friend who runs Valhalla Lodge in MI, it is a 980 acre preserve with elk and deer, the fact that you stated that a wounded animal would be found is completely false, he has wounded deer all the time and they can't find them, one, it is 900 acres like a hunting preserve should be. I truly believe that the state law should be rewritten to state the minimum acres that you can fence in. Ms. Keresztes stated that we are not here to debate state rule or the legality of this, it's zoning. This is legal in the state of IN and we can do it on 100 acre parcels because that is what the law states. It doesn't matter if I have 100 acres or 200 that is beside the point, that is not what this hearing is about, it is about the zoning. Mr. Stoppenhagen asked if a deer could jump an 8 foot fence. Ms. Kersztes stated that 8 foot is what is required by law.

Mr. Howard, I think we all understand that there are good hunters outside the fence, but we also know there is the opposite.

Klay Bechtold stated that his house is a couple of hundred feet from the property line, I have small children, my main concern is safety. Several times you have said safety is the main concern, the information presented seemed to circle back to hunter and preserve safety and the deer and diseases more than outside the fence safety. Ms. Kersztes answered that safety is a priority both inside and outside the fence, you can't control the bad hunter outside the fence but inside a preserve we can control what happens. We want to make sure that the community both inside and outside the fence are safe, that is why we can say that there have been no incidents inside the fence where the same cannot be said for outside the fence. You can't control the bad hunters outside the fence I can't control the guy 10 feet outside my fence, if he decides to take a shot inside my fence, I can't control that. There is nothing I can do about that, but I can control who comes in, what they do, where they hunt, and where they are going to aim their gun and when they fire, if I have that control, I can make sure that they are safe. Mr. Bechtold then brought up comparisons of numbers of preserve hunters to outside hunters as far as accidents. As far as shooting downhill, I am up on the hill also, there seems to be houses in every direction how do you make sure you are not shooting towards them. Ms. Kersztes asked how do you make sure your hunters don't shoot over the property line. Mr. Bechtold said that he doesn't lease his land, if he allows someone to hunt on his land it is someone that he knows that is familiar with the land and the area, they know where the houses are. I would be much more confident with someone that I know. Ms. Kersztes said you are being smart, but that is not always the case. The farmer who lives behind her lets two guys who live in Wisconsin hunt his property, they are not familiar with the area so it is kind of scary and there is nothing I can do about it. Mr. Bechtold said the goal is to have all shots fired inward, that didn't sound too reassuring. My concern is the size of the property and I am not sure how many safe shooting lanes are there. Ms. Kersztes believes that the majority of people who hunt in IN hunt on less than 135 acres most of it is private property. Mr. Bechtold inquired as to what the fee would be for hunting on the preserve. Ms. Kersztes feels the question is irrelevant to the application.

Mr. Howard asked Mr. Borkholder if he would be comfortable answering how much it costs to put a deer on a preserve. Mr. Borkholder replied about \$500.00.

Mr. Dawes asked if there is a limit of how many deer you can stock on this preserve? Ms. Kersztes said that the State doesn't set regulations but as a business you would. You would make sure you have enough deer for your hunters, but you are not going to overpopulate it. You want to maintain a balance.

Mr. Bechtold asked if the deer are hunted just for the racks or do the hunters use the meat? Ms. Kersztes said that the majority of hunters want to eat that deer. Another concern of Mr. Bechtold is, these people are paying top dollar to hunt there and they are here for a limited time, will they be more prone to taking a shot without the guide telling them to. He would like to ask the Commission to consider as you have a track record of doing, a setback distance similar to the setback for confinement buildings keeping the health and safety of our residents in this community a top priority. Anytime you move

an operation to a commercial scale that changes things and I think that may call for some consideration of some ordinances that maybe we should implement.

Mr. Borkholder stated that he has been raising deer for about 36 years. We sell out of state and in state. We lease this property out to about 7 – 8 people right now, they hunt probably every 2 weeks so there are going to be a lot more hunters in there now than we intend to have. We just like to shoot the bucks that we raise. You will hear less shooting with the preserve than you hear now. A few years ago we had guys come in and try to run my leasers out saying that they had the lease on the property and it wasn't true. We are just trying to make a living, we are not out here trying to make top dollar with this. With CWD out there the time is going to come that we can't sell out of state, so this would be a place to harvest our bucks that is what brought this on. There are many hog houses that have gone up around and people don't like it but those people have to make a living. Let's just be considerate, we want to be safe.

Mr. Bechtold: Many hog houses have gone up, one close to your property. Once in a while I do smell the hog house. If I was asked if I would rather it not be there, I guess I would have to say I would rather it not be there. I guess I don't feel that the smell of that hog manure isn't putting my family in any danger.

Kris Kerlin, I own property north across the road and adjoining on the west. I have let people hunt my property, they know the boundaries, they are traditional hunters and we have never had any problem. I am not impressed by what I have heard, this sounds like a preschool for hunters. This sounds like hunting at the zoo in this small area, that is just my opinion. Our area has always been ag I am not crazy about changing the zoning to commercial I don't know what that would open it up to in the future. Mr. Howard stated that this is not changing zoning, but a Special Exception to operate a Commercial Recreational Enterprise in an ag zone according to our ordinance book that is something that the Board can consider under a Special Exception, the zoning would not change, it would still be agriculture. Mr. Kerlin asked if this business discontinues then they would have to come back, Mr. Howard replied yes. Mr. Kerlin stated that he is concerned about the elongated shooting time, we have shooting during hunting season not a great deal but Sept. 1 to March 1 seems a bit long to me. I have small children also who enjoy using our property, to restrict my use of our property for safety is a concern. He also stated that he didn't think finding a deer that has escaped in our area would be very viable, in this area they would be gone. I am impressed with the testing as far as medical testing with the deer, any time you import animals you run a higher risk of bringing in disease just like with the chicken houses and hog houses.

Mr. Stoppenhagen: You test for CWD, but why are these deer not tested for EHD?

Shelly Chavis (BOAH): stated that we do have EHD in Indiana, it is a virus, there really is no reason to test for it because there isn't anything you can do about it, it just like us getting influenza, it runs its course. CWD is within 35 miles of the MI border. Cases of EHD in cattle.

Mr. Stoppenhagen: If Scott Smith were to graze cattle on his property next to this, they could pass this to the cattle.

Mr. Kerlin asked if anyone knows if the preserve will have any effect on property values. Would this create any revenue for Wabash County?

Ms. Godfroy stated that it would bring in revenue to the hotels and restaurants that the hunters use. Mr. Howard stated he believes the income tax would go the county Mr. Borkholder lives in.

Mr. Bechtold said the he doesn't want to infringe on anyone's rights, we are just speaking from the heart and out of concern for our neighborhood.

Lowell Lindzy: About the legality of this, I am not an avid sportsman, they pay thousands of dollars and travel all over to hunt. I am not sure about the ethics of this deal. Mr. Lindzy compared this type of hunting to shooting fish in a barrel. Ms. Kersztes brought up the point that many people plant food plots to draw the deer in. She asked what is a fair chase environment. Maybe you are on a 20 acre parcel with a 5 acre food plot, you want to provide as much of a chase as you can for the hunting experience.

Mr. LeRoy Bishop stated that he owns property to the west of the site and that he is not in favor of it.

Mr. Stoppenhagen asked, how can you say fair chase when you are talking a preserve.

Ms. Godfroy asked, your main concern is safety?

Mr. Lindzy stated that his grandsons are avid hunters, they watched one deer for 4 years.

Mr. Kerlin: The size of the property is just a little over a ¼ mile wide, the chance for a shot to go beyond the fence is greater because of the narrow property.

Ms. Kersztes asked if they had these same concerns when this was a leased property.

Mr. Stoppenhagen said they cleaned out the herd. Mr. Bechtold said it was scary, that he was very concerned.

Mr. Dawes reminded the audience to address their concerns, comments and questions for Ms. Kersztes to the board and in turn the board will have their questions concerns answered.

Mr. Campbell stated that I think we have the feelings of all present.

Mr. Dawes said that he would like to motion to recommend taking this under advisement. He would like to know the distance between the preserve and the neighboring homes. Mr. Bechtold stated that it is about 200 feet to his house.

Mr. Bishops residence is approximately 1200 feet from the property.

Mr. Hunter said that he has been in contact with Charlie Creek Inn and Herrold on the Hill (bed & breakfast) and that this would bring business to the county.

Mr. Vogel seconded the motion to take this request under advisement, the motion carried. Mr. Howard explained the procedures for getting to the final hearing before the BZA. The next Plan Commission Board meeting will be Oct. 3 at 7:00 pm, if this request is given a favorable or unfavorable recommendation it would then go to the BZA for final approval or denial.

Ms. Kersztes, thanked the board for their time.

Mr. Borkholder asked if they needed to be present at the Oct. 3 meeting, Ms. Godfroy pointed out that the Board may have more questions for them.

Mr. Rosen: Any other business to be brought before the board?

Mr. Campbell informed Board members that he will be retiring from his position as Ag Educator with Purdue Cooperative Extension. Mr. Campbell has offered to continue serving on the Plan Commission Board until a replacement is hired for his position. Mr. Dawes said that he would be comfortable with Mr. Campbell finishing out this year and then re-evaluate with the new person. Board members agreed.

There being no further business Mr. Rosen asked for a motion to adjourn. Mr. Vogel made the motion, this was seconded by Mr. Dawes. The meeting adjourned at 9:20 pm.

Libby Cook
Secretary, Wabash County Plan Commission Board
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