

WABASH COUNTY PLAN COMMISSION

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WABASH COUNTY PLAN COMMISSION
BOARD MEETING MINUTES

March 2, 2023

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

Board Members: Randy Curless, Jeff Dawes, Patty Godfroy, Sam Hann, Mark Milam, Doug Rice, Christian Rosen, Geoff Schortgen, Cheri Slee, Joe Vogel
Attorney Larry Thrush, Plan Director Brian Campbell, Secretary Amanda Lyons

Roll call was taken with the following Board members present: Joe Vogel, Sam Hann, Randy Curless, Jeff Dawes, Patty Godfroy, Cheri Slee, Doug Rice, and Christian Rosen. Those absent were: Geoff Schortgen, Mark Milam.

Others present: Cris Renn, Jerome Malott, Alex Downard, Keith Gillenwater, Mike Howard, Kari Simpkins, Kyle Bowman, Jim Finan, Rachel Conner.

The Wabash County Plan Commission Board met on Thursday, March 2, 2023 in the Commissioners Meeting Room of the Wabash County Courthouse. The meeting was called to order at 7:00 pm by Board Chairman Mr. Randy Curless. Mr. Curless asked if there were any additions or corrections to the minutes of the February 2, 2023 meeting. Mr. Vogel made the motion to approve the minutes as written, this was seconded by Ms. Slee. Roll call vote on the motion was taken with 8 voting members present in favor. The minutes will stand approved as written.

Mr. Curless: Next on the agenda is Special Exception #3, for a dairy biogas project by Ag Environmental Systems LLC at Treaty Dairy, located at 1858 E. 800 S. in Liberty Township. Mr. Campbell shared with the Board that as a CAFO expansion project it must go before the Plan Commission Board and the Drainage Board. The plans are scheduled to go before the Drainage Board for approval on Monday, March 6. As the project includes a storm water retention pond, it must go through the Special Exception process

for that as well. Barring any continuations this evening or issues with Drainage Board they will appear at the March 28th Board of Zoning Appeals meeting. Kari Simpkin is in attendance to present the project and answer questions. Ms. Simpkin shared with the Board that the pond in the plans is for storm water, not open containment. She shared with the Board that the process involves a digester that intercepts manure, passes it through an adjustable screen, and is then held in digester for approximately 24 days. It is heated, and the gasses rise to the top and are taken off continually. Onsite they will be cleaned to pipeline quality gas, dried, compressed, and trucked out approximately three days a week. They will be taken to a central injection point. Operating the injector requires about 5,000 cows to be financially feasible. Six dairies in Indiana (including Treaty Dairy) and one in Ohio will feed into one injector. Mr. Vogel asked if the pure methane would be natural gas. Ms. Simpkins indicated it would be and as part of the process it will be flared off to purify it. With this process, the area will notice a reduction in odors due to the removal of the gas. Mr. Rice asked if there were concerns about what is being burnt off. Ms. Simpkin informed the Board no concerns from that and shared that the IDEM air permit for that has already been received. It was one of the first they applied for because they can take an extended time to receive. Mr. Campbell confirmed that a copy of that permit has been sent to the Plan Commission Office. The dairy will be working to get approval for a structure they need to make this work as well. The digester will get their biomass registration approval before construction starts. Mr. Campbell shared that IDEM had asked him about ownership in the project. Ms. Simpkin indicated they want to protect the growers, realizing that not all digester operations are reputable. IGDB will be owner/operator of the digester. Included will be a financial assurance package and bond to be in place at all times to cover costs for removal of manure that is stored, and land applied, and demolition of concrete structures on site. They will obtain a solid waste permit to operate. There will be a facility delivery point, at which operations become the responsibility of the digester as well as a facility exit point, where operations come the dairy's responsibility. The property will be on a long term 30-year lease. IDEM will approve it off of survey, and then it will be recorded. Most counties look at it as an easement. Mr. Campbell asked if a time line could be provided. Ms. Simpkin shared they start with getting county approvals first for the most part due to the expense associated with the IDEM approvals. Once granted at the county level, they will proceed quickly to the state level for approvals. Mr. Campbell shared with the board that in reviewing the plans, it appears the pond is only about 50' from the edge of the road. Our county ordinance would require 105' from the center of the road, so they may need a variance added to allow for that. Ms. Simpkin added that the pond is an engineered storm water pond, not a traditional pond. Mr. Vogel asked if there were safety issues to be considered with the gas. Ms. Simpkin responded that at this point they have a history of how to handle the gas. The clean-up and transport is handled like lp gas. They have worked with Homeland Security to ensure that each step is acceptable. Mr. Vogel asked if the digester would be low pressure. Ms. Simpkin stated yes, it would low pressure. She shared that lightning had hit one recently. It burnt a small into the membrane and deflated, but nothing hazardous occurred as a result. Mr. Vogel then asked what would happen if the

digester storage is full. Ms. Simpkin explained in that situation they just won't be making any, the dairy can go on without issue. She added that the plan is for someone to be on site to monitor the digester every day for a portion of the day. Any place an employee would be is away from the gas collection point. Mr. Curless asked if there were any other questions or concerns from Board members or the public. There being none, he asked for a motion to approve the expansion at Treaty Dairy to include the biogas digester project. Mr. Campbell reminded the Board that they were approving these plans as presented, with conditions of the project also being approved by the Drainage Board, IDEM solid waste permit, Homeland Security liquid explosive approval. Mr. Rice made the motion to approve Special Exception #3 for the expansion of the CAFO to include a biogas digester project at Treaty Dairy with the conditions listed by Mr. Campbell, second by Mr. Dawes. The Board proceeded to a roll call vote, with motion passing 8-0.

Mr. Curless then asked Mr. Campbell to share any complaint updates with the Board. Mr. Campbell shared that the Board of Zoning Appeals met on February 28, 2023 and approved unsafe premise orders for the Linda Trent property and Curt Arnett property.

Mr. Curless asked if there was any other business to be brought before the Board.

- Mr. Jim Finan introduced himself, representing Hoosiers for Renewables. He has attended meetings previously and announced that he would be retiring. He introduced his replacement, Ms. Rachel Conner, to the Board. Mr. Finan reminded the Board that Hoosiers for Renewables is available to help with questions and policy and assist communities as they entertain these possibilities.
- Mr. Mike Howard introduced himself as the former Wabash County Plan Director. Mr. Howard would like to look at a few things within the new zoning ordinance that may need amended to make sure the wording is in line with the intent. In Section 3.7 Factor Point System, the intent is any new development would need to go through the point system, not parcels already established with structures on them. If no structures on parcel, but deed (not survey) dated prior to January 1, 2023 should not go through factor point system. Can something be added within the factor point system to indicate this, possibly in Factor 20 which automatically grants enough points for several reasons? Mr. Thrush indicated it could be added to the Factor Point System if it does not interfere with something already in the ordinance. Mr. Campbell shared with the Board that the total points needed is difficult to achieve for a property within 1/2 mile of the county line because the property outside of Wabash County cannot be considered. He has tested a parcel on all four county lines, 3 of the 4 failed to get enough points. Mr. Howard added that when the system was developed the total points required is only 27% of the total possible points. Majority of properties tested during the development process passed. In the situation with QC Communications not being able to meet the point total, they should be allowed to file for a variance of use due to the hardship it presents for their business. A variance of use would be granted where the strict application of the ordinance creates a hardship. Mr. Howard encouraged Mr.

Campbell to work with Mr. Thrush on any amendments that may need to be made to be sure the wording reflects the intent.

- Mr. Kyle Bowman introduced himself and shared that he would be looking to build on Ag land that was previously purchased prior to 2022 in the vicinity of the county line. Land was purchased with the intent to build a primary residence and his occupation is farm related. He has a vested interest in maintaining the ag land but wants to be sure liberties are maintained as well.

There being no further business Mr. Curless asked for a motion to adjourn. Mr. Vogel made the motion to adjourn, seconded by Mr. Rice. Vote on the motion carried unanimously. Meeting adjourned at 7:50 pm.

Amanda Lyons
Secretary, Wabash County Plan Commission Board
(bc)

**If any names are incorrect or spelled incorrectly in these minutes, we apologize.*