

WABASH COUNTY PLAN COMMISSION

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WABASH COUNTY PLAN COMMISSION
BOARD MEETING MINUTES

JULY 7, 2022

**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 Mike Howard, Secretary Libby Cook

Present: Jeff Dawes, Christian Rosen, Joe Vogel, Randy Curless, Cheri Slee, Larry Thrush, Mike Howard, Libby Cook, Daniel Schul, Jason Robinson

Absent: Doug Rice, Patty Godfroy, Sam Hann, Mark Milam, Geoff Schortgen

The Wabash County Plan Commission Board met on Thursday, July 7, 2022. Board Chairman, Randy Curless called the meeting to order at 7:00 pm. Mr. Curless asked if there were any additions or corrections to the minutes of the June 2, 2022 meeting, there being none Mr. Curless asked for a motion on the minutes. Mr. Vogel made the motion to approve the minutes, this was seconded by Mr. Rosen. The minutes will stand approved as written.

Mr. Curless: first on the agenda is Special Exception #9, Dwayne Jones, for construction of a pond in Noble Township. Mr. Howard gave the following specs on the pond: property address is 5608 S 550 W, Wabash; 83.461 acre parcel; no variances are required; no flood plain or flowage easement involved; water surface area approximately .5 acre; dam, 225 feet in length, 40 feet base width, 8 feet top width; over flow size one 6 inch outlet; outlet drain 6 inch approximately 30 feet; maximum depth 12 feet; emergency over flow 20 feet wide; watershed into the pond approximately 1 acre; no geothermal feed; distance to nearest certified/non-certified drain, unlisted water coarse approximately 350 feet south west. Troy Eads Excavating will be the contractor. The Drainage Board has reviewed the application and approved it. Board members reviewed the information, there being no questions Mr. Curless called for a motion on

S.E. #9. Mr. Dawes made the motion to give a favorable recommendation to the BZA, this was seconded by Mr. Rosen, the motion carried. Mr. Jones was told that the BZA hearing for final approval will be held on Tuesday, July 26 at 7:00 pm.

Mr. Curless: Next on the agenda is Special Exception #10, Eviston Farms for construction of a pond in Lagro Township. Mr. Howard provided the following specs on the pond: Mike Eviston is the applicant; site address is 6229 E 400 S, Lagro; parcel size is 223.421 acres; Eads & Son will be the contractor; no variances are required; no floodplain; flowage easement above 798 with the toe of the dam, this has been reviewed by the Army Corp of Engineers; approximate water surface area will be 6 acres; dam information, approximate length 300 feet, 125 feet base width, 10 feet top width; overflow size to be determined; outlet drain information, off of dam to channel running to creek then on to reservoir; maximum depth 15 feet; emergency over flow, 15 feet; watershed into the pond approximately 67 acres no geothermal feed; distance to nearest outlet, approximately 1400 feet south east to back creek then 1200 feet to reservoir.

Mr. Eviston said he has been working with Adam Jones putting in water ways, we have been getting terrible washes, we have taken out some crops and put in cover crops. He said the Army Corps of Engineers told him that 798 was the key elevation, looking at the project, hopefully it will benefit some people for recreation, the area has washed bad in the last 10 – 12 years. Eads have been out and dug test holes and a Soil Scientist from Bluffton did the tests. Board members reviewed the information. Mr. Curless asked if there were any questions, there being none he then asked for a motion on the request. Mr. Vogel made the motion to give a favorable recommendation to the BZA, this was seconded by Mrs. Slee, the motion carried. Mr. Howard told Mr. Eviston the next hearing will be before the BZA on Tuesday, July 26th at 7:00 pm.

Mr. Curless: next on the agenda is Biomass collection. Mr. Howard informed the Board that on June 8th, Molly Boeglin, with Ag Environmental Systems, LLC came to the Plan Commission. Ms. Boeglin was a former IDM inspector and is very knowledgeable. They are looking at the dairy located at Treaty as a potential site to do methane collection. Ms. Boeglin explained the process during the June 8th meeting. The company has submitted their plans to IDEM, at this time we do not have any application information in our office. The dairy they are looking at was in place before the county CFO ordinance went in effect, so IDEM rules would apply. The plan is to collect methane gas and transport it to regional areas.

Mr. Curless: next is Non-CFO to CFO discussion. Mr. Howard told the Board that he was contacted by Travis Tackett asking about possibly selling a poultry house that he owns and keep the tillable farm ground. In 2014 Mr. Tackett and Scott Dawes each put up a facility on separate parcels, both buildings were under the number of birds required for IDEM CFO permitting. He asked if it could be sold to the owner of the other poultry building. This would not comply with the ordinance. The BZA said he would have the right to apply for a variance, this could set a precedence if approved. There is supposed to be a clause in the new zoning ordinance regarding attempts to subvert the ordinance. Mr. Tackett has stated that it is hard to get workers. Mr. Dawes asked, has there been a variance for setback from a CAFO, this could be putting the county in a position for more if it were approved.

Mr. Howard gave an update on the Imagine One 85 comprehensive plan. The PCB met in joint session on June 16th with the Wabash City Plan Commission, and the Town of N. Manchester Plan Commission to vote on adoption of the plan, all three Boards voted to approve. Mr. Downs sent a copy of a resolution to be presented to the County Commissioners, I asked Mr. Thrush to review the resolution. Mr. Howard provided the Board members with copies of draft suggestions for their review, he explained that he wanted a statement in the Resolution that would cover what he would like to see included in the Resolution to be presented to the Commissioners. The added paragraph reads:

The Board of Commissioners understands that the Wabash County Advisory Plan Commission will remain intact and continue to function accordingly by working together with other Plan Commissions to implement the new comprehensive plan and all future amends to the new comprehensive plan.

Mr. Dawes replied that he is fine with putting that additional statement in the Resolution, I think that is how all 3 of the Commissioners believe and feel. There has not been any communication since that June 16th meeting as to what, when or where the next step is. Mr. Dawes said he feels the Commissioners are in the same position as Mr. Howard is, we haven't heard anything further. Mr. Dawes noted that one concern he has with one of the drafts is that if you change the supplemental amendment in there does it have to go back to the other two Plan Commissions, that is my concern that if you change something other than what was in there that we voted on that night. Mr. Howard said that in an e-mail he noted that Adam Penrod (Town of North Manchester) had made changes, so I think each group has to have their own Resolution, it won't just be one for everyone. This would be a Resolution just from Wabash County Commissioners, there should be one for Wabash City, and the Town of N. Manchester. Mr. Dawes said he feels like draft 4 with the added paragraph puts forward the wishes of the Commissioners and the Plan Commission as well.

Mr. Vogel discussed development in the county and how it has been this Board's goal to protect the prime farmland in the County. Mr. Dawes said that he agrees.

Board members discussed the selection and funding for a director the new comprehensive plan, Mr. Dawes said he feels the funding for the new director should be shared between the county, the city and N. Manchester. Mr. Howard noted a couple of concerns, if you recall when Keith Gillenwater, Patty Grant, and Julie Garber were here, there were some questions that came up. Ms. Garber stated at one point that as soon as the plan is approved and resolved the Steering Committee would be dissolved, later others said they felt the Steering Committee would be involved in selecting a director. There was no direct answer to who will select the new director and how that position will be funded.

Mr. Curless to asked for a motion on draft #4 to send to the Commissioners for them to vote on at their meeting on July 18th. Mr. Rosen made the motion to send the (draft #4) copy of the resolution to the Commissioners, this was seconded by Mr. Vogel, the motion carried.

Mr. Curlless: next is an update on the County Zoning Ordinance. Mr. Howard told the Board members that the County Zoning Ordinance is done, he will be e-mailing a copy to each for review.

Mr. Curlless: next is update on solar in the county. Mr. Howard said there has been nothing new from Next Era or NOVIS regarding solar.

Mr. Howard gave the following updates on complaints:

- The Kowalczyk property in the town of Lagro, approved filing with the courts, that will be going forward.
- Matt Miller, Sandy Beach, we were in court last Friday, the property clean-up wasn't 100%, I advised the judge I was satisfied. I asked for stipulations that the property is to be kept cleaned up and mowed.
- Tomorrow we go to court for the David Francis property in Servia to verify the total cost of the clean-up.
- Property in Liberty Mills, Theodore Dill is the deeded owner, son now lives there, we will be working on an unsafe premise order on the property.
- Dumpsters at Liberty Mills, I talked to the pastor at the Brethren Church to ask if some of their congregation would possibly keep an eye on dumpsters, did not get very positive feed-back.
- I have received a complaint of Zoomer's by Lagro working without permits, this does require permitting. I have talked with Mark Frantz and he then talked to Mr. Downs and Mrs. Slee too, because they are working in a floodplain. To be working in a floodplain they are supposed to be permitted through the county floodplain ordinance. I have talked to some people from the State level and was told that even though they were putting in a retention pond that they did have to have a permit from our office. Mrs. Slee noted that they have no drainage approval either.
- BZA has had an open door policy filed against them through the State. Mr. Thrush has reviewed and responded to the complaint.

Mr. Curlless asked if there was any other business, there being none he asked for a motion to adjourn. Mr. Vogel made the motion to adjourn, seconded by Mr. Rosen, the motion carried.

Libby Cook
Secretary, Wabash County Plan Commission Board
MTH