

MINUTES OF REGULAR MEETING

BARTHOLOMEW COUNTY BOARD OF ZONING APPEALS

The regular monthly meeting of the Bartholomew County Board of Zoning Appeals was held on January 27, 2014 at 7:00 p.m., on the fourth floor of the Bartholomew County Governmental Office Building, 440 Third Street, Columbus, Indiana.

Members Present: Chair, DeWayne Hines; Gil Palmer and Jason Newton

Staff Present: Melissa Begley, Assistant Planning Director, Leanne Wells, Associate Planner, Sondra Bohn, Planning Department, Bill Klakamp Asst. Code Enforcement Officer and Nancy Whipker, Dept. of Code Enforcement

County Plan Commission Attorney: Cynthia Boll

The meeting was called to order by Chair, Hines. The Board and Staff introduced themselves.

There was a motion by Gil Palmer, seconded by Jason Newton to continue the Election of Officers to the February, 2014 regular meeting. The vote was 3-0.

Cynthia Boll administered the oath to all in attendance who would be speaking.

DOCKET NO. B/CU 13-09 WILLIAM GELFIUS

This is a request for conditional use approval to allow a Concentrated Animal Feeding Operation type II (CAFO) in the AG (Agriculture: General) zoning district per Zoning Ordinance Section 3.6(B). The property is located on the parcel directly south of 20565 East 200 North, in Clifty Township.

Roger Glick recused himself from the Board.

A request submitted by Chaley Jordan for a continuance of this application was read into the record by Chair Hines. Gil Palmer made a motion to deny the request for a continuance, seconded by Jason Newton and said motion passed 3-0.

William Gelfius, applicant and his son, Justin Gelfius attended the meeting with Kirstin Whittington, an agriculture consultant with Landmark Enterprises.

Associate Planner, Leanne Wells, presented the Staff Report, which included a background summary and preliminary Staff recommendation of approval, stating that all four criteria had been met. It was stated that approval should be contingent upon the necessary approvals from the Indiana Dept. of Environmental Management being provided to the Planning Department.

The Staff Report also stated the intention of the Zoning District to provide for a mixture of agricultural and residential land uses.

Staff Report listed planning and comprehensive plan considerations, as well as provisional finding of fact/decision criteria, stating all had been met.

Justin Gelfius said he wanted to provide an opportunity for his children's future in farming and if he felt this endeavor would be injurious to him and his family or the land, as well as surrounding neighbors and their land, they would not be presenting this request to the Board of Zoning Appeals.

William Gelfius said his family had been farming at their present location for almost 55 years, having once been one of the largest dairies in Bartholomew County. Crop production has been the mainstay of their operation since his father discontinued the dairy business many years ago. After much consideration he and his family believed diversification was necessary to retain a successful farming operation and felt contract hog finishing barns represented that best opportunity.

Kristin Whittington said this plan had been well planned and thought-out by the Gelfius family to expand their agriculture opportunities for future generations.

Ms. Whittington said IDEM approval is good for 5 years, renewable upon IDEM review and approval. The facility would be subject to inspections by IDEM staff at any time. She said they had already received approval from Bartholomew County Soil & Water District for Title V storm water requirements.

Those attending the meeting to voice their objections to the granting of this request are as follows:

Dr. Kris Williams, 637 N St Rd 11, Seymour, Indiana 47201

Dr. Williams, a Board certified physician and surgeon currently practicing in Seymour, Indiana submitted a typewritten document prepared by him and Dr. Whitler, a practicing pathologist at Schneck Medical Center in Seymour since 1976 and Co-Director of the Clinical Laboratory. He said both he and Dr. Whitler had carefully reviewed the

scientific/medical literature on potential health concerns relating to high density livestock production.

Zach Matthews

Mr. Matthews said he lives within a mile of the proposed site and is educated on this type of proposed facility and objects to its approval;

Kathy Hershey, 18300 E 200 N, Hope, Indiana 47246

Read several objections regarding size of the proposed facility and possible negative impact on surrounding neighbors and area;

Kathy Reese, 3728 N 1100 E, Hartsville, Indiana 47244

Ms. Reese said she had lived in the area 25 years and objects to adverse effect the proposed facility might have on Anderson Falls and the park.

Cassie Perry, 1845 N 1050 E, Hartsville, Indiana 47244

Ms. Perry said she grew up in the area and expressed concern for health and welfare of those living there and spending time outdoors;

Chaley Jordan, 2520 N 1100E, Hartsville, Indiana 47244

Submitted a folder stating some neighboring concerns and objections. She stated she lives 3200 ft. from the proposed site and wasn't contacted prior to the filing of this request;

Kim Leckron, 2406 6th St. Columbus, Indiana 47201

Ms. Leckron said she was there on behalf of her daughter and her family and expressed concern for those who might have compromised immune systems and how this type of facility might affect their health;

Serge Ducharme, 2152 E 200 N, Hartsville, Indiana 47244

Opposed the granting of this request by the Board;

Cheryl Mullis, 3344 N 1200 E, Hartsville, Indiana 47244

Opposed due to concern of condition of the surrounding roads. She submitted a list of some of those roads.

Greg Geffin, 3627 S 750 W, Greensburg, Indiana 47240

Mr. Geffin said he had sold 11 acres to Mr. Gelfius and said if he had any idea it was going to be used for the proposed facility, he would have never sold him the acreage. He said Mr. Gelfius indicated he would just be farming it when he purposely asked him what he would use the 11 acres for.

Mike Williams, 90250 E 200 N, Hartsville, Indiana 47244

Mr. Williams said the Board has a huge responsibility. Things could happen with the facility that could endanger all who live there and affect property values;

Ed Blanton, Co Line Rd, Hartsville, Indiana 47244
Mr. Blanton expressed concern about quality of water and the potential of deterioration of roads;

Jenni Thompson Geffin, 3627 S 750 W, Greensburg, Indiana 47240
Ms. Geffin said she would like verification of any other parties involved in the use of the facility other than the Gelfius family;

Tim Scheidt, 3443 N Meadow Dr, Hope, Indiana 47246
Mr. Scheidt expressed concern with the increased size of vehicles using the roads as well as safety;

Michael Jordan, 19560 E 50 N, Hartsville, Indiana 47244
Mr. Jordan said a proposed hog operation of this size would devalue surrounding properties. In addition, he asked Board member Jason Newton if he had conducted business with the Gelfius family in the past and whether or not that could be a conflict of interest;

Mr. Newton indicated that he had.

Jonathan Bray, 20421 E 300 N, Hartsville, Indiana 47244
Mr. Bray expressed concern over road safety and said he had received no notice in the mail about this proposed facility;

Charles (inaudible)
Expressed concern over negative impact on Anderson Falls and said he did not feel this request met the necessary criteria;

Jennifer McNealy, 2557 S 700 W, Greensburg, Ind 47240
Ms. McNealy said she was there on behalf of her Father, Wayne McNealy, to express concern over air quality and the negative effect on property values in the surrounding area;

Jared Fee, 2281 Meadow Bend Dr, Columbus, Indiana 47201
Mr. Fee read a passage from the Bible "to Love Your Neighbor" which he felt Mr. Gelfius did and after 2 years of study and research, would not propose a facility that would harm his family or those of his neighbors.

Philip Oldham, 525 N East, Greensburg, Indiana 47240
Expressed concern over how the water source would be affected;

Jim Fritsche, 20390 E 200 N, Hartsville, Indiana 47244
Mr. Fritsche said the Gelfius family was great neighbors and a strong family. He questioned if the roads would be adequate to handle both the size and increased traffic;

Michael Veenhuizen, 2967 S Honey Creek Rd, Greenwood, Indiana 46143

Mr. Veenhuizen said he was an agriculture environmental engineer. He said an Article in the USA which someone had referenced, had referred to MRSA which is a type that cannot be contracted by humans.

James Murray, 3854 N 1200 E, Hartsville, Indiana 47244

Mr. Murray said he had lived in the area for 23 years and was concerned with the harm to property value. Mr. Murray said he did not believe this request met the necessary criteria for the Board to grant it.

Following are those who attended the meeting to speak in favor of the granting of this request;

Kate Phillips, 3215 N 1100 E, Hartsville, Indiana 47244

Ms. Phillips said she supported Bill Gelfius and his family and wished them well.

Leah Byer, 44 E 550 N, Columbus, Indiana 47203

Ms. Byer said she was in favor of this type of facility stating she would much prefer to buy Indiana pork a rather than pork produced in China;

Ben Muncie, 9785 Randal St, Columbus, Indiana 47203

Mr. Muncie said he knows William Gelfius and believe anything he does will be done safely and carefully.

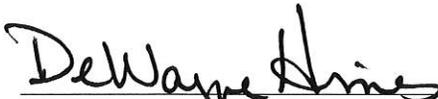
DeWayne Hines made a motion to approve the request, stating that all 4 criteria had been met. The motion died for lack of a second.

Gil Palmer made a motion to continue the request to the February meeting. Jason Newton seconded the motion and DeWayne Hines voted against said motion, The Docket was then automatically continued to the February 24, 2014 meeting.

The following items on the Agenda were continued to the February 2014 regular meeting:

- Findings of Fact
- Approval of Minutes
- Adoption of 2014 meeting schedule

There being no further business, the meeting was adjourned.


DeWayne Hines, Chair


Bill Klakamp, Asst. Code
Enforcement Officer