MINUTES OF MEETING OF
WASHINGTON COUNTY PLAN COMMISSION
Held August 6, 2012 at 7:00 p.m.
Council Chambers—City Hall Building

This public meeting was called to order by President David Hoar. The meeting opened with saying the Pledge of Allegiance, and Jeff Souder opened with prayer. Roll was taken, and all members were present with Attorney Thomas E. Scifres arriving to the meeting late due to a conflict. David Hoar presented the Board with the minutes of the July meeting, which were approved by a vote of 9-0 on the motion of Jim Day and seconded by Shawna Humphrey.

President Hoar welcomed those present and offered opening remarks. The first order of business was committee reports, as follows:

1. **Sub-Division Control:** Jeff Souder reported no activity by the sub-division control committee.
2. **Land Use:** David Hoar discussed concerns for CFO's and Land Use Committee. He also discussed the draft for minimum requirements for CFO's in Washington County. David Hoar then addressed concerns for reciprocal setbacks that he has been made aware of. Kari Keller Steele then addressed the members and audience regarding CFO minimums to be regulated locally in the first draft of the ordinance. By the way of example we would regulate poultry operations exceeding 18,000 versus the current number of 30,000. All other species will also have a maximum head count to conform to. Kari Keller Steele also addressed the current discussion status regarding reciprocal setbacks, basic setbacks from a residence of 400 feet, County road setbacks, and a points system for properties that may apply in certain situations.

At this time, comments were heard from members of the community that were in attendance. Max Greene spoke on concerns of reciprocal setbacks that would limit the use of land owner rights. He stated that reciprocal setbacks should be removed from the current draft on Land Use Planning. David Hoar responded that removing the reciprocal setbacks would not represent fair treatment for all residents. He also discussed housing concerns and development in proposed setback area of 400 feet. Alan Lyter then mentioned that he disagrees with the statements made by David Hoar about setbacks. He feels that landowners

should not be limited on the use of their own property in the 400 foot setback area designated due to a neighboring CFO.

Rhonda Greene also spoke on land owner's rights to build on their own property if they choose regardless of a neighboring CFO. She also brought up the issue of CFO's being required to acquire more property around the CFO facility and she is concerned also about water usage of CFO where wells are an issue.

Luke Hamilton asked the Board about the impact of CFO's on neighboring property values.

Phil Marshall asked about a timetable for the draft and procedures for adoption of Land Use documents. Kari Keller Steele responded that a target date of one (1) year is what is being looked at for adoption of on ordinance.

David Norton stated that people on the County are not aware of the problems by a County that adopts Land Use policies and he is not in favor of Land Use Planning.

Gracie Brown made the comment that she did not agree with the setbacks proposed by the Board and said that she feels that property owners are being penalized by CFO's being placed on a neighboring property. David Hoar presented an example of a Land Use document that shows setbacks away from residences. Jeff Souder raised the question about a definition for agricultural development. Adam Dufour stated that the only setback should apply to the owner of CFO's. John Mishler stated that Land Use Planning is needed and the how the County is changing.

Rhonda Greene commented that David Hoar and Shawna Humphrey should recuse themselves from votes on CFO issues because as owners of CFO's, they had a conflict of interest. Both denied any such conflict. Attorney Scifres pointed out that the Board needed a diverse makeup of its members for fair representation to all citizens and their knowledge and input is an example of why that diversity is sought. Rhonda Greene then commented about reciprocal setbacks and gains that would be made by Shawna Humphrey and David Hoar by passing CFO guidelines that have been discussed. David Hoar addressed Rhonda

Greene asking her to clarify her comment and also stated that he would not benefit from passing CFO guidelines. Rhonda then also expressed the same comment towards Shawna Humphrey. Shawna Humphrey answered that she did not feel that she now or in the future would benefit from CFO guidelines. Lane Frieberger presented the question of the possibility of CFO owners purchasing setbacks areas in question. Thomas E. Scifres made the comment about reviewing the setbacks for CFO's before the vote. John Mishler made the suggestion of increasing setback limits. Kari Keller Steele discussed that having a point system and a 750 foot setback for CFO development could not co-exist, as there would be no need for a point system giving a farmer credit for additional measures if there was such a large setback, and no one would likely be able to qualify.

David Norton then stated his concerns about land owners having their residence within the 400 foot setback which would limit the ability to sell that home at a later date.

David Hoar presented a motion from Danielle Walker to table the setback reciprocal vote, which motion was seconded by Lane Frieberger. Danielle Walker discussed rescinding her motion and to table the subject of reciprocal setbacks. Danielle Walker withdrew her motion to table the reciprocal setback vote. John Mishler made the motion to vote on reciprocal setbacks withdrew that motion. Thomas E. Scifres discussed options on motions and votes and options to table subjects and items of concern. David Hoar asked for a motion to vote reciprocal setbacks but none was made. He then suggested that information go back to the Land Use Committee for formal discussion.

The next order of business was to discuss the next meeting date for the Plan Commission. President Hoar stated that the next meeting date would September 10, 2012 at 7:00 p.m.

Alan Lyter then commented from the audience that homeowners lose rights within the designated reciprocal setback area but are still required to pay property taxes on that property.

There being no further business before the Commission, Jeff Souder made a motion to adjourn the meeting, seconded by Lane Frieberger. The motion passed 9-0.

David Hoar, President

Lane Frieberger

John Mishler

Jim Day

Danielle Walker

Scott Maudlin

Adam DuFour

Jeff Souder

Shawna Humphrey

COMMISSION ATTORNEY

Thomas E. Scifres

Harold Brown 5570 NORTH CUT ROAD
Phil Marshall - Simpson Sunset Farm Cox Ferry Road
Jeff Parker Heritage Chapel Rd.
Alan Lyter 5152 N. COX FERRY RD.
Luke Hamilton 4953 W Prowsville Ridge Rd
Wendy Peace 5806 W Wonder Valley Rd
Mark Greene 10130 West Sugar Ln. Campbellsburg
Rhonda Greene " "
David Norton 5434 N. State Rd 39, Scottsburg IN