MINUTES OF MEETING OF
WASHINGTON COUNTY PLAN COMMISSION
Held May 20, 2015 at 7:00 p.m.
Washington County Government Building

The meeting of the Washington County Plan Commission was called to order at 7:04 p.m. by President, David Hoar. Scott Maudlin led the Pledge of Allegiance and Jerry McClellan offered prayer. In attendance were members David Hoar, Jerry McClellan, Danielle Walker, Adam Dufour, Mark Hartman, and Scott Maudlin. Phil Marshall, Jeff Souder, and Ervin Day were absent. Also present were the Board's attorney Mark Clark, and Plan Director Travis Elliott. Also present were Darrell Tye, Max Greene, Adam Dufour, and Danielle Walker, members of the Board of Zoning and Appeals. John Mishler was absent.

It was announced that there would not be a Board of Zoning and Appeals meeting as there was no business to come before said Board.

Minutes of the April 6, 2015 meeting were presented and approved. Upon motion by Scott Maudlin, seconded by Adam Dufour, the minutes of the April, 6 2015 meeting were unanimously approved.

President Hoar announced that K.K. Gerhart-Fritz was unable to attend the meeting because of the time planned to be spent on the AFO application. Also, K.K. is waiting for remarks from legal counsel on the proposed revisions to the Land Use Ordinance of Washington County which she has drafted and submitted during the month of April. No new review of ordinances or rules of procedure were to occur at this meeting.

The Plan Commission members were invited by President Hoar to make remarks of old business pending before the Board. There were no remarks. At 7:10 p.m., upon motion made by Jerry McClellan, seconded by Adam Dufour, a recess of the Washington County Plan Commission was approved and the meeting recessed at 7:10 p.m. pending a public hearing on the permit for an AFO.

At 7:15 p.m., President Hoar called the public hearing of the Plan Commission to order for the purpose of reviewing the AFO application submitted by Chuck McPheeters, which application had been listed as Case No. 15-01. In attendance at said meeting were Chuck McPheeters, Andrew Wright representing Oliver and Donna Sizemore, Oliver and Donna Sizemore, in person, Jeff Adkins, Marvin Miller, Jeff and Cathy Straight, Jessie Blanton, Barbara Blanton, Sharon Jent Sumpter, and Maybeline Guran. Also in attendance was Marcia Walker of *The Salem Leader*.

President Hoar explained the process of the public hearing and the rules and procedures which would be followed for the public hearing. Plan Commissioner Travis Elliott gave an explanation of the application listed as Case No. 15-01 and submitted the application for review to the Plan Commission. At 7:25 p.m., Chuck McPheeters spoke in favor of the application and presented information to the Plan Commission. At 7:25 p.m., Andrew Wright, on behalf of Oliver and

Sizemore, made a presentation in opposition to the application. During the presentation by Andrew Wright, Exhibits 1, 2, 3, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, and 17 were submitted to the Plan Commission. The exhibits are as follows:

1) Think Map representation showing the property in question
2) Washington County Property Assessment Card showing the property in question is tillable land
3) chart showing the ownership density listing of the neighborhood
5) previous IDEM violation against McPheeters
6) photograph of buildings and sink hole
7) photograph of buildings and sink hole
9) photograph of buildings and sink hole
10) photograph of buildings and sink hole
11) photograph of buildings and sink hole
12) photograph of buildings and sink hole
13) photograph of buildings and sink hole
14) topographical map regarding sink holes in the area
15) aerial photo of sink holes in the area
16) IDEM document regarding Karst and applications regarding feeding operations in a Karst area
17) IDEM document regarding Karst terrain and requirements for feeding operations in a Karst area

All exhibits were reviewed by the Plan Commission.

Following Andrew Wright's presentation, Jeff Adkins, Marvin Miller, Cathy and Jeff Straight, Jessie Blanton, Barbara Blanton, Sharon Jent Sumpter, and Maybeline Guran all spoke against the AFO application.

At the close of statements by those in opposition to the application, there was rebuttal by Mr. McPheeters.

Upon request for a motion to close the public hearing, Adam Dufour moved to close the public hearing, seconded by Mark Hartman, the motion to close was unanimously approved.

Adam Dufour moved to reconvene the meeting of the Plan Commission, seconded by Jerry McClellan, and the motion to reconvene was unanimously approved. The Plan Commission held discussion regarding the AFO application. After some discussion of the issues raised by those in opposition to the application, Scott Maudlin moved to table the application of Chuck McPheeters known as Case No. 15-01 for an AFO permit until the June 1, 2015 meeting. Danielle Walker seconded said motion. After discussion regarding the motion, it was clarified that the motion to table included instructions that Travis Elliott would not issue the permit at this time pending the June 1, 2015 meeting. Upon the motion being reviewed and recited before the vote, the motion to table was unanimously approved.

Subsequent to the motion, members of the Plan Commission directed counsel to address the following two (2) issues: 1) what the Indiana Department of Environmental Management would require in a CFO permit application as to whether the application before the Plan Commission known as Case No. 15-01 was an expansion of a current confined feeding operation or whether IDEM would consider the application as a stand alone application; and 2) address for the Plan Commission at the June 1, 2015 meeting the issue of what the definition of "contiguous" property as provided in the Washington County Plan Commission Ordinance and how said definition would affect the rating of the owner/operator scoring on the points sheet for an AFO application. Counsel was specifically requested to look at page 4 of the Ordinance regarding §300.2 of the definition of "boundaries" for guidance. Additionally, Travis Elliott requested counsel to examine the definition of a "public use facility".

There being no further business to come before the Plan Commission, upon motion by Scott Maudlin, seconded by Mark Hartman, the motion to adjourn was unanimously approved and the Plan Commission adjourned its meeting at 8:23 p.m.

Washington County Plan Commission by:

David Hoar, President	Jerry McClellan, Vice President
Danielle Walker	Adam Dufour
Phillip Marshall	Jeff Souder
Mark Hartman	Ervin Day
Scott Maudlin	

Commission Attorney:

Mark D. Clark