

Carroll County Commissioners

Public Meeting for Proposed Zoning Ordinance

January 5, 2012

Welcome by Pat Clawson

Overview by Cindy Harmon (see overview)

Jefferson Township Trustee – Rex Millhouse – Lake Resorts – No provisions for boats storage or trailers, utility trailers. Concerns about lot sizes – small lots on the lake – grandfathered in and protected. – [Yes there is a provision for this section page 96, number 8]

Galen Perry – stripping away of the roads [not meaning the use of the roads, but of the excessive driveways and strip of roads]

Rex Wilson – Trailer and dump truck parked along the street – [ability to store on property is OK]

Joel Rathman (new resident) – operation going in rural area where homes have been established, with an effect on the house and residential area. Want to see a further distance on operations like this.

Gail Stout – SR 29 – read a statement about hog barns (same one as the last commissioners meeting)

Tom Grey – Manufactured housing – any new park has to be within a municipality – is that a concern that there is not adequate develop-able land within a municipality

Joyce Webb – Where did all the common sense and courtesy and love your neighbor go? (Read a statement) 800 feet from a CAFO to a residence “ is not near far enough” “given a life sentence” with a CAFO built w/in a ½ mile of her house.

Judy Berkshire – Thank commissioners for holding the meetings. General comments about CAFOs and a specific comment “finds it very unfriendly” and “insulting” “discriminating and very narrow” In general – every time that CAFOs are proposed, there is an “outcry” for the Commissioners to “do something”

Sam Moffitt – Carroll County is one of the top ag counties in the state. Ag has changed greatly in the past 30 years, and it takes a lot more ground to make a living. Ag Clause protects from nuisance lawsuits, but doesn’t protect from negligence

Jim Turnouski – negligence is an interesting concept, because the average person doesn’t know what negligence

Bret Rinehart – real estate agent “quite all right with this requirement” and not worried about explaining it to people that want to move to the county.

Chris Huffer – pulmonologist – CAFOs have not been scientifically established as a trigger for health concerns

Sam Moffitt – interested in Bret’s comment regarding 800 foot setback – has that been a deterrent to sale of land in the County – it depends upon a lot of things other than just the setback.

Bret Rinehart is for balanced usage and development. Presently we seem to have balance. Cannot statistically show damaging property value to either residential or agriculture for either use. Note that everything reaches saturation. Won’t perfect this plan, but have a good plan to start. There may be a point where the density needs to be review (either Ag or Residential or something else) Current plan is in balance with current conditions. There may be exceptions on individual basis.

Bev Freshour – Not the matter of existing ones growing on their own property, but where it is being built elsewhere.

Larry Falk – Restriction on number of residences in the country, but not a restriction on the number of confinement facilities. Concern about number of confinement and closeness of the facilities and the number of animals and quantity of manure and waste and repeated application to soils and impact on watershed and water quality. Another issue to be addressed is the closure and abandonment of a CAFO – who cleans it up? Suggestion of a bond for cleanup purposes.

Larry Trapp – Steering committee – Closure – IDEM must be notified on closure and tells what owner must do that for closure, and IDEM then inspects. We don’t need an ordinance, because we have a state law. Hog numbers in the 1960s and 70s more than today – all of them were outside in dirt lots, in steams and polluting. Causing erosion problems. Today, hogs are in confinement and IDEM regularly inspects, and regulates. Manure is a desired fertilizer. Also issue with new farmers and starting farming. Having a livestock building is a way for a young farmer to get started in farming. This is the primary reason for new hog barns in Carroll County – to bring new farmers in. The biggest employer is a pork processing facility that buys our meat. We have to support ag in our county as the primary industry for our economy in the County.

Joel Rathman – is a second generation farmer – saturation is a relative term, depending upon where it is located. “I am not opposed to CAFOs” – “the setback is what I’m talking about, but 24/7 exposure.” How do we make it appropriate for everyone?

Richard Stout – Indiana General Assembly about what is reasonable? And about the population? Title 37 Water Pollution Control Board – development of rules. “Environment sufficiently uncontaminated as to be injurious to human plant animal or aquatic life or reasonable enjoyment of life and property. Impossible to be fulfilled with a setback of 800 feet and 100 feet from a property line. Setback distance of spreading, spraying or animal excrement. Southeast Burlington Township with 2 ½ mile radius, plus truck wash water. Farm World – 1966 CAFOs in Indiana in November 2011. With only two men to investigate and enforce regulations. CAFO operators are on the “honor system” to regulate themselves.

Randy Strasser – Discussion of the populated areas in the County. About ¾ of the population of the county is within Delphi and Lake area. The vast majority of permits are not pertaining to agriculture. We need to get a new living, breathing document approved to protect and have orderly growth as the HHC comes in. We might not see a lot of growth in the next 3-5 years, but as development plans get

established and the economy recovers, we need these new ordinances to protect our County. Living, breathing documents, which needs to have regular updates (not only every 40 years)

Alan Stout – When he talked to the person that is putting it up, he asked whether the construction would put it in his back yard, he said no. Attitude that they (CAFO's) can do whatever they want, and the local resident have no choice. What are you going to see in Carroll County in the next 10 years? Article from Farm Week – December 21, 2011 – new CAFO laws effective in July. Dennis Lassiter – technician in IDEM. “In new construction, Lassister advises taking neighbor concerns seriously and being proactive in addressing these issues to save problems down the road.”

Benjamin Deiner – from Monticello. Haven't heard a number other than 800 feet – what number would be appropriate? Remember that this is reciprocal and will prevent new houses as well as new CAFO's. NIMBY (not in my backyard) cannot be salvaged by a zoning ordinance. Trying to find a balance, seeming to be bogged down on one specific instance. It should be noted that this was addressed in 2006.

Kyle Wagner – living in the country is one of the greatest things he has done. In-laws farm – and live in the middle of hog operations. 10 years looked to a spot where they could build. Wants 1200 feet distance. Need to look at existing residences.

Richard Stout – exact number of feet – new ordinances in other counties – start in the 1320 feet with a limit of 2500 hogs, and a larger operation needs to be farther away, up to 10K is ½ mile away.

Maurice Robeson – distance used to be 500' – we took a map to see the effect of setbacks. At ½ we would only be able to have 4 new facilities, at 1320 feet would limit all future growth. We need to work together to come up with more favorable solutions. The Ag community is trying to address this issue. If we increase the distance, we will eliminate hog operations in Carroll County

Tom Grey – Southern Indiana – Switzerland county – recently developed an extravagant zoning ordinance, it was so onerous, that it was rescinded.

Larry Trapp – all steering committee meetings were open to the public. No members of the public attended these meetings. Steering Committee is not looking at tomorrow, but to the future. The public has had a long time to comment, and have just now said something about the Ag District. Remember the Steering Committee has spent a lot of time and effort putting the project together. It's change that we object to but it is important for us to make this change – this is a change that will benefit and not hurt this county.

Dick Bradshaw - There have been a lot of changes incorporated into the document per suggestions from the public.

Galen Perry – quantity of manure in the ground will pollute the groundwater so much that people couldn't use it. It happened in North Carolina, it can happen here.

Joe O'Donnell was on the committee and had a lot of input in how we can protect the land.

Kyle O'Farrell – livestock producer. The regulators are doing an outstanding job of making sure we don't contaminate the ground. Ground has to be tested, and cannot over-apply. Farming is one of the safest and had the most advances in industry. Amazing that 1-2% of the population can feed the rest of the population. We have to have balance, and we are trying to address that. But the perception is that the farmer is the "bad guy" What bothers me is the perceptions – we have to give and take and get along, but there are situations where it might be a little rough. We are so blessed, and take so many things for granted, and we need to be more generous. We do the best we can to make it as safe and economical, and we not to offend anyone, and we live about 100 feet from the building.

Joe O'Donnell – SWCD in Carroll County and also a farmer. Manure has been used as a fertilizer for eons. Only in the past 80 years has commercial fertilizer become available for crop production. With all the livestock in Carroll County, the manure produced will not come close to the needed nutrients. AT most, 15% of the fertilizer needs would be supplied through manure produced in Carroll County. If not applied properly, there can be contamination, but we encourage folks to spread responsibly, so I'm not concerned with there being too much livestock in Carroll County.

Pat Clawson – We are in this for the balance.

Next meeting January 21 at 1:00 p.m.