

**BZA Minutes April 3<sup>rd</sup>, 2024, 5:30 P.M.**

**Board president Sandra Jackson called the meeting to order at 5:30 p.m. Roll call was taken answered by: Sandra Jackson, Virgil Bremer, Marc Webb, Justin Orme, Dohn Green, Attorney Geoff Wesling, and Area Plan Director Mike Holzback.**

**\*Minutes from the March 6<sup>th</sup> meeting was approved by a motion from Virgil Bremer seconded by Dohn Green, all voted aye.**

**\*Application 2024-3 was withdrawn 4-1-2024.**

**\* Application 2024-2 from Holsbosch Dairy came before the board as a special exception to build a 6500-cow dairy located at 1221 E St Rd 244, Milroy, Indiana. The director then read the staff findings of fact file for BZA-2024-2.**

**\*Wim Holsbosch spoke first as one of the owners of the operation explaining their current dairy farm near Letts Indiana as a family-owned farm. He spoke about plans for this proposed new dairy and the scope and size of how it would function on this 180-acre tract of land also being a family farm.**

**\*Attorney Brianna Schroeder from Janzen Schroeder AG Law LLC was next to speak on behalf of the Holsbosch application. She presented a PowerPoint presentation on many aspects of the proposal. Spoke about this being in line with the comprehensive plan that supports Rush County agriculture. Cited 10.2.5 in the zoning ordinance: first step in the permitting process: need other permits from State & local agencies: supports economic development: County property tax income: employment opportunities: and preserving farmland: She asked for time for rebuttal at the conclusion of other testimony.**

**\*David Gerdeman from Mannik Smith Group, a professional engineer, spoke on technical aspects of the project: spoke of the water supply and research they have done along with the study of a test well which was dug and pumped: described the building and milking parlor: described air movement in the building: described the manure handling process and storage: described the anerobic digester process:**

**\*Attorney Geoff Wesling interrupted spontaneous questions coming from the audience and assured them they would have ample time at the podium. He then explained the process for those wanting to speak and use the signup sheet before speaking.**

**\*Attorney Jason Kuchmay took the podium who was representing a group from the area of the proposed dairy. He asked the board to deny the special exception request for the following reasons: cited 7.11.3 from the zoning ordinance: cited 7.11.4 stating special exception only if the scoring is insufficient: spoke about harmful nature of a CFO: sited negative affect on property values: cited applicant should have been seeking a variance:**

**\*Quintin Vanfossen spoke about not knowing about the proposal but indicated he lived 1.2 miles from the site.**

**\*Dottie Linville indicated she lived 5 miles from the site but brought concerns of possible water issues.**

**\*Allen Leising, adjoining landowner, spoke and gave DNR information on well depth: gave concerns on water wells and the aquifer in the area.**

**\* Dave Young, president of the Milroy water utilities, brought concerns of water supply for Milroy: had asked a hydrologist for a study that would not be available for two weeks.**

**\*Melissa Meltzer spoke: had started a petition against the proposal with 60 signatures: felt like the board had already made a decision: (this is in reference to a submitted findings of fact received in our office March 28<sup>th</sup>)**

**\*Geoff Wesling clarified there had been no decision made.**

**\*Beth Phelps spoke: about water concerns in Milroy.**

**\*Ainsley Flannery spoke: water concerns in Milroy: read a statement from a Morristown ordinance.**

**\*Kaitlin Maples spoke: water supply concerns from the aquifer: environmental quality concerns.**

**\*Dale Remmler spoke: well driller in Rush and surrounding counties: figures given on well capacity are off: water quality issues in wells caused by many issues: feels there is sufficient water in the area: uses well logs and hydrologists studies.**

**\*Tyler Spaeth: spoke in favor of the dairy: he has worked with and for the Holsbosch dairy farm.**

**\*John McCane: local director of ECDC: read a letter from Indiana Department of Agriculture in support of dairy farming: additional property tax income: additional employment: additional support of local equipment dealership: additional income from other local business suppliers: spoke about Rushville's experience with recent water well issues and they were fixed according to DNR regulations.**

**\* Dr. Rob Jackman DVM spoke: on behalf of Milroy Economic Development Corporation that group is 100% in support of this project.**

**\*Steve Obert: spoke on behalf of the Indiana Dairy Association: spoke on the Holsbosch dairy farm in Decatur County as a very well taken care of family operation: need to increase food and dairy production in Indiana.**

**\*Matt Mobley spoke: works for the dairy: speaks highly of the family operation: water demands given are on the high end: has spoken to several of the neighbors in the area over the last two months.**

**\*Greg Amos spoke: In support of this dairy and other species on large scale animal farms: Has a swine CFO that allows him as well as others to remain in agriculture.**

**\*David Vandebur spoke: lives mile and half from their operation in Decatur County: spoke highly of them as they fix issues that arise immediately: they support their community in many ways.**

**\*Barbara Richey spoke: Orange Township trustee gives support of this project even though it is not in that township: Will bring income to Rush County that is needed.**

**\*Kenneth Owens spoke: has farmland next to the Letts operation: provides fertilizer to his farmland: they do a great job and are good neighbors.**

**\*Brian Robbins spoke: Decatur County Economic Director: spoke in much favor of the Holsbosch Family: has brought an economic boost to Decatur County: they provide a lot of community support.**

**\*Merle Smith spoke: They have supported the bread of life: donated 58 acres of crops bringing in \$58,000: provide tours for school field trips: not a greedy family as they have helped the entire community.**

**\*Evan Shaw spoke: from Bartholomew County has been working for Holsbosch dairy for three years: has been a benefit to him as they have trained him in many aspects of the business.**

**\*Joni Naylor Doig spoke: Naylor family supports this animal agriculture endeavor: This is an agriculture State and needs to stay that way: Family farms are pivoting now to keep the family farms alive and growing.**

**\*Dave Schuler spoke: hauls milk from dairy farms: Holsbosch dairy is one of the cleanest top-notch dairies he hauls milk from: excellent family to work with.**

**\*Sandra Jackson calls for further public comment:**

**\* Brianna Schroeder returns to podium: this is and should be a special exception: if as council says we have to many points then we will drop the home, it will reduce the number of points to 370 then it makes a special exception by opposing counsel's view: DNR will protect surrounding water wells by law under Indiana code 14-25-4:questions a local realtor comment that property values will drop: Prefers to use Indiana University Kelly School of business published report: supports the economic value the Holsbosch Dairy will bring preserving agriculture land in Rush County:**

**\*Sandra Jackson asked for a motion to close the public hearing: Virgil Bremer moved to close the hearing seconded by Justin Orme all voted aye.**

\* Attorney Geoff Wesling addressed the issue of a document that was surmised to be approved before this meeting. It was a document of Finding of Facts provided by both sides written to provide facts of why this should be approved or denied. Each side provided these documents. The stamp on each document shows the date it was received in the office.

\* Attorney Geoff Wesling said the board could call anyone to the podium and ask them questions if they desired to.

\* Member Dohn Green asked attorney Geoff Wesling if he felt the special exception was appropriate. Geoff stated after reviewing the ordinance that it was appropriate if that was what the board chose to do.

\*Sandra Jackson asked the board members if they had any other questions. There were none. She then called for a motion.

\* Member Virgil Bremer moved to approve the special exception 2024-2 at 1221 E. St. Rd. 244 citing it was consistent with the A-3 zone. Existing hog farm shall be closed by April 2034 by IDEM rules as a condition. Virgil also included and read all bullet points listed on page 2, 3, and 4 of the findings of fact document. All permits needed from the local and state agencies shall be obtained before a location improvement permit can be issued. Motion was seconded by member Justin Orme, all voted in favor 5 for the motion, 0 against the motion.

\*Justin Orme moved to adjourn the meeting seconded by Virgil Bremer. All voted aye.

Sandra Jackson President



Dohn Green Secretary

