

BZA MINUTES

June 16, 2026

Members present: Jim Hufford, Bill Davis, Jon Peacock, Don Calhoun, Drew Cleveland, and Jason Hawley, Jason Allen

Members absent: None

Legal Representation: Jason Welch

Staff present: Debra Johnting, Area Planning Director

Staff absent: Kristi Halloran, Recording Secretary

Others present: Kari Simpkins, Tony Goltstein, Ivonne Goltstein, Maike Goltstein, Angelica Goltstein, Rob Goltstein, Ed Thornburg, Andrew Fritzinger, Barbara Fritzinger, Landon Smith, Peggy Collins and husband, Scott Jester

Chairman Hawley: Good evening. By my watch it is now 7:00 o'clock on June 16, 2026. This is the Randolph County Board of Zoning Appeals. I would first off like for each member to state their name for the record. My name is Jason Hawley, Bill Davis, Jim Hufford, Don Calhoun, Drew Cleveland, Jason Allen, Jon Peacock. Thank you very much. First order we have on the docket is the approval from the minutes of May 19, 2026. Those have been supplied. Has everybody had a chance to look over those and read those for consideration?

D. Cleveland: I move we approve the minutes.

J. Allen: Second.

Chairman Hawley: So moved. We accept the minutes as presented. Before we get moving on to traditions tonight I would like to go over some of the rules as this meeting is underway. Petitioners will have 15 minutes to present their petition. During this time there will be no interruptions or questions. After the presentation the board may ask questions. Anyone wanting to speak for or against will have three minutes each and then the petitioner will have additional five minutes to respond. So we've got that under way. Up tonight we have BZA2026-17-B, Tony Goltstein on behalf of Union Go Dairy. The request to build a new dairy barn and lagoon for additional 660 cows within the 3,000 feet regulated by the Unified Zoning Ordinance. Is there anyone here that would like to speak on behalf of this proposal? Please come forward, state your name and address for the record.

K. Simpkins: Hi I'm Kari Simpkins and I'm an environmental consultant for the Dairy, Union Go Dairy. My address is 812 Western Avenue, Connersville, Indiana.

Chairman Hawley: Have you sent out notices of certified mail and returned receipts to the Area Planning Office?

K. Simpkins: Yes.

Chairman Hawley: Have we received Article V Conduct of Hearing?

K. Simpkins: Yes.

Chairman Hawley: You have 15 minutes tell us what you're looking to do.

K. Simpkins: Okay. Well even though, I don't want to read verbatim but in the brief description but essentially they are expanding or they would like to add a lagoon, a freestall barn, and a small extension to the existing biopad that is there. So in your packet you have a farmstead map that sort of shows that. I'm going to hold up the same map that you guys have but to make it a little easier to see and I am going to. I was thinking it was going to scribble a little bit on here to make it a little more bold. But you guys have this same map. This is the farmstead map that the State of Indiana approved and essentially everything is existing except for this little bitty slice right here at the edge of the freestall barn or at the edge of the silage pad. This little narrow spot they're adding. To the south they would like to add a freestall bar and a lagoon. And it's been several years ago they've actually proposed an expansion that would have gone kind of tucked around the barn there. That expansion didn't go forward. They felt like going straight south. It's a little less than the previous proposed expansion and going south to just made more sense in terms of how they flushed the barns and manure storage and that sort of thing. Either way because the Dairy was existing prior to the ordinance there are some homes within the 3,000 feet to the north that had to be reconsidered even though they're not expanding to the north because you know like I said they were built prior to the ordinance and so it wasn't a consideration then. So now some of the houses that are within those when requesting the variance for I believe it is two of the houses are on the north end. And so just kind of give you an idea in terms of impact. Two of the houses are not going to be, it won't make any difference there's nothing coming any closer to them. And overall the expansion is fairly tight. They kept everything together. They're not sprawling out. Those sorts of things but if you have sort of a clearer view of that again they're adding 660 cows and the manure storage to accommodate that. That actually also helps them in terms of with a one stage lagoon helps like it helps with manure flow and actually for that to be processed easily and more safely. Based on your guys variance requirements I would like to touch on the fact that the variance we're requesting is not injurious to the public health, safety, morals and general welfare of the community. What we're asking is it's not injurious to those people or to those items. Again this is an existing land use they're just simply expanding the value of the adjacent area and property included in the variance won't be affected substantially. Once again this is an existing use. The dairy has been there for a long time and the strict applications of the zoning ordinance would result in difficulties of using the property. Once again because even the existing site itself inflicts on the ordinance because it was there prior to the ordinance no matter where they expanded to. If they wish to grow at all we would have had to have come to you to talk to you about anything even there's nowhere on the property that they could have expanded you know anything would have kicked us back in here to talk to you about variances. So that's not something that the owners created or you know initiated and you know there's no it's not that it's a negative thing it's just one of those things where older facilities, newer ordinance in order to grow we need to come in and ask for the permissions. That is a little bit you know a very quick overview of what they're doing. I don't see any reason to beat a dead horse. I will say there are some small oddities about this that

have nothing to do with the variance. I'm on the BZA in Fayette County and I know I would want to know if I were on the board because they are background noise. One of them is at the site three years ago maybe longer I was actually here on behalf of a digester company requesting a rezone for an area on the dairy's property because again they had this opportunity with the digester. Some of the markets changed and quite frankly after working with the digester and with Goltsteins that part of the issue is is that. The digester which change the current it changes the texture of the manure and that's an odd concept but they couldn't they could have promised the digestive company couldn't promise that it wouldn't change the texture. The dairy needed it to stay the same and because it was on the line of being economically viable for the digester company at that size of cows and plus the downturn in the green energy market they decided not to move forward. So prior to us requesting the variance we did ask for that commissioner ordinance to be like basically because that has been an abandoned use right. We're not moving forward with it so that has been filed, that has been taken. I don't know that it's like officials yet all it does take that.

D. Johnting: But it hasn't been changed on the GIS map but it will be.

K. Simpkins: Okay, so there you go not changed on the GIS map but that is handled. It was just one of those little details because it was rezoned for a very short period of time to an industrial zone of some sort, I think M-2. At any rate that's been taken care of. The other thing is that the site has again you know if you I held up my my map here where it's like kind of long and narrow at the bottom half there are two parcels. This is the farmstead map. You have a better parcel map but essentially there's a big parcel up here and then there's two smaller parcels down here. And in order to comply with the 40 acres it would have spanned across all three of those parcels and so in order to comply with the 40 acres we did combine those bottom two parcels and you now have a, I don't recall if it's an 80 and a 40 but at the very least each of the two parcels now have over 40 acres and each of them that they're sitting on. They do they share across the parcel line there but we have combined those with the and reported that. So that little clean up thing is also taken care of. Again not major, but I wanted to make sure it was brought up that those things are taken care of. Can I answer any questions?

J. Allen: I guess the only question, I called some of the residents around there the only question they were asking is when is enough enough as far expansion goes. I get it. I'm in business too. I want to grow as big as I can grow but that was some of their questions like when is enough expansion enough expansion. They originally bought the property out there that they live out there before and didn't have windmills or solar and that's not you guy's problem. But also didn't have a big operation going on out there at the time too. They were buying it with the intent to have country living and now it's a big industrial farming situation out there. I get it, I mean I understand. I drink a lot of milk too. But at the end of the day they were they were asking me to ask that question. So I'm asking.

K. Simpkins: I cannot speak to their specific finances and I probably wouldn't. But at any rate what I can say is that the the dairy industry and the farming industry, most mature industries they end up having such narrow margins that in order to make the same amount of money that they did you know five years ago, 10 years ago, they need to be here to make that now. So to answer your question I'm not certain that there is a threshold of at this point you know the dairy would be done growing. I don't think that is a. I

don't think that that's an answerable question nobody has a crystal ball. However what I will say is that you know with working with the family they are very family centered. They all work there together. They all contribute and I do think that my guess is and I would you know happy to have them pipe in on this but my guess is their answer would be enough to keep our family fed, clothed, and content. You know they're not trying to take over the world. They just you know they want to feed their family like everybody else. And agreed there is a fine line there but you know I think the answer to that is as capital is available and needs arise I think is the answer to that.

T. Goltstein: Can I answer that?

Chairman Hawley: If you're an owner participant would like to speak for the proposal if you'd like to come up and state your name and address for the record so we can have that as well.

T. Goltstein: Tony Goltstein for the people who don't know me owner and operator of Union Go Dairy. We landed here in Randolph County 2003. Some of you guys remember how this got created and we were fortunate enough to build this area. Nine years ago we added a small barn and for me I thought you know coming to expansion this is it. In these nine years, three of my kids. We had three kids, one son and two daughters. They're all with us today. Decided they got the question from a milk processor, "So do you guys want to milk more cows?" I have them make the decision. For me I was, I was at my. You know the 20 years we've been here I always tell my kids they count as double so 30, 40 years so actually they should help me to get retired. So we decided you know to do this expansion. We're going to do this expansion but as you see the lagoon on the south side is going to limit us to build another barn. That's where we're at. With this expansion the cow get milked, the milk gets harvested is at its maximum. So this actually, on this property. It's for my kids.

J. Allen: The good thing is they said that you guys have been very neighborly, they said a lot of very, very positive things about what you guys have done out there and they've never they didn't say anything negative about they were just wondering.

T. Goltstein: No and I'm glad you asked this question you know what these kids going to do 20 years from now, I don't know. I won't be here. I'm fighting the last battle today and that's cancer.

J. Allen: You'll get there.

T. Goltstein: No I can never get rid of it but death will be my last battle and we fought more battles over the last 20 years we're here. I fought a bunch of battles this one I can not. So I just want to make sure that we have a good reputation in our neighborhood. You know that we're well respected. I tried to teach my kids the same. It's not something you have to work for but this is something that's in you. We do start because we want to help people. It's not because you know all my reputation is on the line. No, hell no. Yeah. Twice?

Vice Chairman Davis: Two minutes.

T. Goltstein: I don't need to talk too long because I use a lot of cuss words.

K. Simpkins: So any other questions or anything I can answer or Tony?

Chairman Hawley: Thank you very much. Seeing there are no other questions from the board I would like to open up the comments to anyone else in the community that would like to speak for or against the proposal. You might come up state your name and address for the record please. Sir you will be given three minutes.

S. Jester: If come back up the second time I get three more minutes?

Vice Chairman Davis: Nice try.

S. Jester: Scott Jester, 2417 South 300 West, Winchester. Just shy short of a mile from Tony Goltstein and the family. Was it 2003 when you guys rolled in? I was on the other side of the fence. I opposed this family with not wanting them here. For the last 10 years, 15 years I've changed my tune. You couldn't ask for better neighbors, better family. No matter what side of the fence you was on and I was on that fence and I had to sign out in my yard. But that family, I don't care who you or what side of the fence you was on, they'll stop to help you. Good, bad, or ugly. You could cuss them. You have a flat tire, out of gas, that family stopped and helped. They represent good neighbors what good neighbors should be, how they should act. Roadsides are kept nice. I go back there the farm is couldn't ask for a better well-kept farm. The cows are well cared for. If you walk through those facilities you've been after better practices. They try to stay on top of their game. You know and how much is too much? Yeah that's a question for anybody that's owns their own business. You want to expand for your family. You know I mean you know I mean that's family farm. You know you started out with one family and now you've got four families. I couldn't ask for any other four families to be my neighbors. And farming the way they do, how well they care of the crops, the farmland. They go across farms that probably people don't care for but they work with them and everybody in the community does. I don't have a problem with them. They're you know they're good people. Good farmers. You know they're you know. You know you got wind turbines. I tell everybody you know it's agriculture. And it's, they've been good people and I thoroughly enjoy them after we got to be friends and yeah I call them I call all dear friends. If I ever needed something I could be at 3:00 o'clock in the morning and call them "What do you need? I'm on my way?" You know how many people they could call each one of your neighbors how many would call an answer and say, "I'm on my way. What do you need?" but those people will. You know they continue you know it's. They do a good job and it's not you know an eye sore.

Vice Chairman Davis: Thanks Scott.

Chairman Hawley: Is there anyone else that would like to speak for or against? Could you please come up state your name and address for the record please Sir.

A. Fritzinger: My name is Andrew Fritzinger. Address is 4053 West 300 South in Winchester and thank you so much for allowing me to leave a few minutes to speak. I do want to say this certainly is not about families. Who's a good family, who's a not a good family, who's a good neighbor, who's not a good member. And I certainly haven't met you personally Mr. Goltstein but I certainly hope and wish the longest, much more time than you think you may have with your family. My prayers are with you and like one of the gentleman said you never know and we hope for that so. My family has been at this property and farmed this property since the 1830s where original deeded property. We're 7th and 8th

generation or 6th and 7th generation rather with with my mom back there. And so we certainly have a long presence here in this community and neighborhood. Certainly understand the comment earlier about how much does it take and the margins get thinner and thicker every year. And certainly appreciate that and that's also on our minds as well. How long can we sustain our 100 acres that we have? How long can we farm? And there's a balance certainly to be made there with what we may do that impacts our neighbors and vice versa. With that in mind I am in opposition of the proposed variance for a few different reasons. One of which I'll jump into here real quick just to apologize I can jump between my notes and talking off hand but I have a few minutes. There is apparently a history, documented history of some noncompliance and that is a concern. There was a 2025 IDEM letter issuing issued around a violation and then in 2026 IDEM followed up with a second letter noting that several requested items or required items from the previous well sample were not provided. And also they noted that the time required to notify IDEM about the failed well had long since passed so. There is some history of noncompliance there. Brings a bit of concern as an affecting property to how safe is the water. Is it being monitored? Do we know? The second piece of it the second argument I guess is the nature of the variance and what it's for. There doesn't appear to be a hardship created or the hardship is created would be self-created. So expanding the current operations would place new structures to close requiring the variance however that's a voluntary business decision. The variance standards as I understand them require showing unnecessary hardship that is unique to the property and not self-created so.

Chairman Hawley: Sir I'm going to have to stop you. Three-minute time has been allotted. Based on rules there is five minutes for the petitioner to respond to the comments. If you'd like to take the time to respond to any of the issues that Mr. Fritzinger had brought up, you have time to do so.

K. Simpkins: And actually I don't know if this is allowed did I. Given the crowd. I would like to I mean if you don't address it here I would like to talk to you afterwards you can address it privately. I mean can you suspend your rules? Does that matter or does it not or?

Chairman Hawley: The rules here are just for the record. If you do anything off the record we'll have no notes forward in case anything should back for compliance or if there's a legal issue we ...

K. Simpkins: I didn't know if you could suspend the rule for him to finish his point.

Chairman Hawley: It's up to the board. Would you like to give additional time so?

J. Hufford: Can we do that?

J. Welch: You'd have to vote on it.

Chairman Hawley: All those in favor of expanding time, and the rules, two minutes. All right all those in favor.

All: "Aye."

Chairman Hawley: All right. You have an additional two minutes Sir.

A. Fritzinger: I appreciate that I'll wrap up in less time than that. So just kind of getting on that second point around the hardship being self-created to finish my thought. For the relief to be consistent with the purpose of the ordinance which is to prevent adverse events from adjacent properties. To me that doesn't meet the standard. So in other words the variance requested is not really the hardship that's adherent with the property but rather a hardship that would be created with the proposed expansion. Thank you.

Chairman Hawley: With that again will allow five minutes for a response to the issues that were brought up.

K. Simpkins: Hi, Kari Simpkins again. So the two points, the first one on the noncompliance. Again, this is a little history lesson and I apologize for that but you remember when the dairy was proposed because of some of the controversy IDEM requested that they put in an addition to their clay liner a synthetic liner. So essentially a much more sophisticated but essentially a tarp over the top of this synthetic liner for the manure. And overtime because it wasn't designed to have two layers like that the synthetic layer wasn't designed to sit on top of that hard-compacted clay liner, so the synthetic liner floated. So you had bubbles in that lagoon. And when that happened as part of the mitigation item required them to do a monitoring well program and meaning they have to do groundwater monitoring because they wanted to ensure that the double liner that you know even though there was a compacted clay liner and the secondary liner when the secondary liner floated they said okay we understand take out the synthetic liner. However just to triple check due this groundwater monitoring create the plan and do that. So they installed that and they have been doing it well. The compliance issues that he's talking about is that the previous consultant who was required to go out and or who was going out taking the samples and submitting those to IDEM ironically he had done it he just had not submitted them to the state of Indiana and I'm not really sure why that happened but it essentially once they kind of got his attention about it, so to speak, he did get those submitted. The one well that they were discussing that he said you know isn't that we should have they should have discussed it because it's failed. It's actually because the lock mechanism when we were out there with the IDEM inspectors because I was there it's so rusted that the cap won't open and so it's not that the monitoring well failed it's that the IDEM inspector and I could not access it because it was so rusted we didn't have tools with us. So again not necessarily that the well failed it was more of an access issue. Still is and needs will be address. Part of this plan and we'll try to wrap this up is there will be one monitoring well that has to be closed and relocated and essentially we would develop basically an entirely new groundwater monitoring plan and during that we will fix that one where there's an access issue again and you know how to like the rusty hinge part we'll get that fixed but at any rate that is that was the compliance issue. The other part. I don't know. I understand his argument about the property not being is that this is not a unique hardship or the property isn't unique however I understand how it got there. However because it was a dairy before this ordinance and it's not as if you can pick up a parlor and 1800 cows and moved them to another dairy that you know that wasn't it wasn't the dairy's fault that the county changed their ordinance. And yes they are now requesting this expansion that infringes on your ordinance but again I think it's half of the people who are affected were already within 3,000 feet of the dairy. And so we feel like this expansion is considered a hardship because in order to increase by 660 cows they couldn't go buy property and redo that. That's not that it's the financial hardship it's that you know they're dairy

is already there and the hardship comes from the fact that the ordinance came in afterwards. That's how I view that hardship argument not necessarily self-created through expansion but one that is created by the unique glorious thing that it is across rural Indiana that we have houses on nearly every corner. Any questions?

Chairman Hawley: Is there anyone else here that would like to speak in opposition or in favor of the proposal. Please come up and state your name and address for the record Sir.

L. Smith: My name is Smith. 12741 West 460 North, Parker City. I'm a little way away from this proposed expansion but it does directly affect me because I provide a lot of corn to these guys. Without Union Go I probably wouldn't be sitting in front of you today because they're what make me make my margins to keep my family fed. Tony and Ivonne and their family, I've known pretty much since they got here. My dad kind of fought the fight with them when they were trying to get started here back in 2003 and a lot of the ordinances and things were put in place at that time we kind of helped create. And things have changed since that ordinance came in and much the same as they were describing. You know there was plenty of room for expansion at the time this dairy was built. They have done a little bit of expansion but his family has also expanded and as you know a few of you know and some of you have experienced you know bringing kids back in the operations is not an easy thing to do. I wasn't able to come back into my family operation you know I went and cut my own but I wouldn't have been able to do that without Tony. So I don't really think that you know much the same she was describing I'm just echoing it and probably wasting your time but this variance would would help the community could help the families and the community and it's ag it's not solar panels it's not fiberglass it's ag. Thank you for your time.

Chairman Hawley: Is there anyone else here this evening would like to speak for or against the proposal? Please come forward and state your name and address for the record.

P. Collins: My name is Peggy Collins. 2719 West 400 South. I purchased my property in 2010. Everyone talks about the smell whatever. I chalked it up to being a farm you know it's country. But then things started happening running hoses under the road through the culvert and throwing it out on the fields for fertilizer. That got a little more intense. My property is downhill from the surrounding field area so everything comes my way. I have concerns of my water. I've had it tested and I do have chloroform in my well. I don't know Tony or his family. I've never met him in 16 years. And I'm not complaining about the smell that everybody talks about. If the winds blowing just right it is, if it's not it's not you know it's this country thing. But I'm concerned about the value of my home with all of this extra coming in. I think it's going to devalue my property. My husband and I are not very physically able to take care of things in the country and we're looking to sell and move to town. So I'm concerned of what this is going to do to the value of it. So where exactly is this going to be built? It's going to abut my property but what parcel of land is this on?

D. Cleveland: It's right where everything is it's just on the south side of the farm where all buildings are right there but it's on the south side.

P. Collins: Before you get to 400 South?

D. Cleveland: Yeah. We have pictures.

J. Allen: Right there's their existing farm. They're expanding out here to this location. The cows are going to be here and the lagoon will be right in front of it.

P. Collins: I think that's all I have.

Chairman Hawley: Thank you very much. Would anyone like to.

J. Peacock: Can I ask a question? Are you located very close to the setup right now?

P. Collins: Catty-cornered across.

J. Peacock: Catty-corner to the south?

Mr. Collins: We're the first road to the east, first house on the east on 400 S. There are two houses on that mile road. We live in the one on the west end.

J. Peacock: And you mentioned you're well has an issue. Did you check the well before you moved there?

P. Collins: We checked it when we moved there. I had already purchased it. It can be caused by several different things but since I am kind of in a hole with their surrounding fields. It's a concern.

Chairman Hawley: Since that issue was raised would anyone like to speak, take five minutes to respond to the statements?

K. Simpkins: I don't think so. I think we're okay. If you have questions about it I'd be happy to answer them. If the Board has questions I'd be happy to answer them, but I don't see anything.

Chairman Hawley: Is there anyone else here who would like to speak for or against the proposal? Also if anybody would happen to take a look at the map that was provided by Area Planning tonight it actually shows the number of feet away from property lines marked over to the side. Collins property as noted 3,000 feet is on the chart. I know the circles can be a little tough to read sometimes but the four closest property lines are indicated out into the margins. Are there any other questions that the board may have this evening?

J. Peacock: Just a thought as we look at considering solar ordinance modifications and as we listen to the neighbors I think one thing that we can try to do is to be good neighbors. And I don't know if there's anything that can be done for the two people that spoke tonight that were not in favor. If there's things that can be done to be good to our neighbors I think that's how we should try to be. Whether this passes or not tonight, whether the variance requests passes or not, I think that's one thing that we wrestle with is try to consider neighbors while we're considering business and it's not an easy answer. But I think we can attempt to be the neighbors that some of you that changed and feel better about the family that moved in. I'm not surprised that it's not everybody. But what can we do for those that aren't pleased. Regardless of how this vote goes tonight that's something we can do a good job of we can do better. And try to make it so it's a win win. Just be kind.

Chairman Hawley: Any other questions, comments, or concerns? Seeing none I move for a roll call vote.

D. Cleveland: Second.

D. Johnting: Don Calhoun, yes. Jim Hufford, yes. Jason Hawley, yes. Bill Davis, yes. Jason Allen, yes. Jon Peacock, yes. Drew Cleveland, yes. That is approved.

Chairman Hawley: Motion has been approved and granted. Moving on with our agenda we're moving on to old business is there anything that needs to be discussed before the board? Seeing none do we have any new business that needs to be discussed? Seeing none reports of officers committee and staff? Is there anything for next month yet.

D. Johnting: No.

Chairman Hawley: Good enough.

D. Johnting: Kristi's been gone for a week and a half. I have no idea.

Chairman Hawley: That is fair.

D. Johnting: She'll be back tomorrow and I'll let you know.

J. Allen: I'm sure she'll have something.

Chairman Hawley: Seeing that we have no more reports, I motion that we adjourn for this evening.

D. Cleveland: Second.

Chairman Hawley: Thank you very much ladies and gentlemen.

Chairman, Jason Hawley

Kristi Halloran, Recording Secretary

Vice Chairman, Bill Davis