

Wabash County Plan Commission

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Wabash County Plan Commission Board – Meeting Minutes

Board Members: Randy Curless, Jeff Dawes, Sam Hann, Mark Milam, Doug Rice, Mike Ruse, Geoff Schortgen, Cheri Slee, Joe Vogel

Staff: Mark Frantz, Board Attorney; Brian Campbell, Plan Director; Jennifer Hicks, PC Secretary

Thursday, May 1, 2025

1. Call To Order

Mr. Randy Curless, PC Chairman called the meeting to order at 7:00 pm.

2. Roll Call

Jennifer Hicks, PC Secretary, called roll:

- ✓ Randy Curless – *present*
- ✓ Jeff Dawes – *present*
- ✓ Sam Hann – *present*
- ✓ Mark Milam – *present*
- ✓ Doug Rice – *present*
- ✓ Mike Ruse – *present*
- ✓ Geoff Schortgen – *absent*
- ✓ Cheri Slee – *present*
- ✓ Joe Vogel – *present*

Jennifer Hicks declared a quorum was present.

3. Motion to Open Public Hearing

- ❖ Mr. Doug Rice made a motion to open the public hearing; Mr. Mark Milam seconded the motion.

Jennifer Hicks called roll:

- ✓ Randy Curless – *yes*
- ✓ Jeff Dawes – *yes*
- ✓ Sam Hann – *yes*
- ✓ Mark Milam – *yes*
- ✓ Doug Rice – *yes*
- ✓ Mike Ruse – *yes*
- ✓ Cheri Slee – *yes*
- ✓ Joe Vogel – *yes*

The motion passed unanimously.

- ❖ Mr. Curless introduced the purpose of the hearing—to receive public input on a proposed temporary moratorium on the issuance of Improvement Location Permits (ILPs) for carbon sequestration projects in Wabash County. The moratorium would provide time to draft zoning regulations addressing carbon capture and storage (CCS). Notice of the hearing was published and posted per legal requirements.

Mr. Brian Campbell read the proposed moratorium into the record.

4. Public Comments in Favor of the Moratorium

- ❖ Mr. Josh Leffel spoke in favor of the moratorium. He stated he felt like the project was a lie referencing POET's webpage stating their "Pure Promise" regarding CO2 being natural and part of farming. CO2 is required for future crops. He feels that if this promise was true than there is no reason to pump the CO2 into the earth.
- ❖ Mr. Brent Klutz stated that he is opposed to carbon injection wells due to the risk of groundwater contamination. He cited past contamination in Wabash County aquifers. He highlighted the potential contamination of deep aquifers and the risk to public health.
- ❖ Mr. Dave Cummings expressed a deep concern for the environmental impact and the safety of future generations in Wabash County.
- ❖ Mr. Chris Hickman urged the Plan Commission to create protective ordinances. He supports the moratorium to ensure careful regulatory planning.
- ❖ Mr. Hunter Wells expressed skepticism of environmental benefits and warned of aquifer risks and the long-term consequences.
- ❖ Mr. Dave Terflinger called for state-level public comments. He urged the community to speak up through public comment platforms and stated he supports local decision-making authority.
- ❖ Mr. Campbell stated that he received a petition with 164 signatures opposing CCS projects. He additionally read 2 statements he received prior to the meeting.
- ❖ Ms. Nikki Burnsworth condemned CCS projects as unsafe and a misuse of public resources.
- ❖ Ms. Kip Gaerte expressed concerns including potential leaks, health risks from CO2 exposure and opposition to state and federal overreach.

5. Public Comments in Opposition of the Moratorium

- ❖ Mr. Matt Ward, a representative from POET emphasized POET's long-standing presence in the community. He argued that CCS is necessary for future competitiveness and highlighted the regulatory safeguards via the EPA and Indiana DNR. He cited a national policy support and economic benefits for farmers. He asked the Commission to oppose the moratorium and instead work collaboratively on responsible ordinances.
- ❖ Mr. Campbell read into record a letter received in opposition of the moratorium.
- ❖ Mr. John Hartsough stated he believes there is a scientific argument that CO2 is not toxic. He argued that CCS is a safe and essential part of modern energy policy. He encouraged research through Google Scholar and the EPA.

6. Staff Report

- ❖ Mr. Campbell read a staff report as well as stating a draft CCS ordinance has been sent to the Plan Commission members and the County Commissioners. He stated the staff is requesting more time to refine the ordinance. The Plan Commission Office Staff supports a temporary moratorium to allow coordination with local emergency services and to await final DNR permitting rules.

7. Motion to Close Public Hearing

- ❖ Mr. Sam Hann made a motion to close the public hearing; Mr. Jeff Dawes seconded the motion.

Jennifer Hicks called roll:

- ✓ Randy Curless – yes
- ✓ Jeff Dawes – yes
- ✓ Sam Hann - yes
- ✓ Mark Milam – yes

- ✓ Doug Rice – *yes*
- ✓ Mike Ruse – *yes*
- ✓ Cheri Slee – *yes*
- ✓ Joe Vogel – *yes*

The motion passed unanimously.

8. Opening of Regular Plan Commission Meeting

- ❖ Mr. Curless opened the regular meeting.
- ❖ Roll Call

Jennifer Hicks, PC Secretary, called roll:

- ✓ Randy Curless – *present*
- ✓ Jeff Dawes – *present*
- ✓ Sam Hann – *present*
- ✓ Mark Milam – *present*
- ✓ Doug Rice – *present*
- ✓ Mike Ruse – *present*
- ✓ Geoff Schortgen – *absent*
- ✓ Cheri Slee – *present*
- ✓ Joe Vogel – *present*

Jennifer Hicks declared a quorum was present.

9. Carbon Sequestration Moratorium Recommendation

- ❖ Mr. Curless asked to rearrange the agenda to hold the vote on the moratorium recommendation first. There were no objections.
- ❖ Mr. Rice made a motion for a favorable recommendation; Mr. Hann seconded the motion.

Jennifer Hicks, PC Secretary, called roll:

- ✓ Randy Curless – *yes*
- ✓ Jeff Dawes – *yes*
- ✓ Sam Hann - *yes*
- ✓ Mark Milam – *yes*
- ✓ Doug Rice – *yes*
- ✓ Mike Ruse – *yes*
- ✓ Cheri Slee – *yes*
- ✓ Joe Vogel – *yes*

The motion passed unanimously.

10. Approval of Meeting Minutes – March 20, 2025

- ❖ Mr. Joe Vogel made a motion to approve the minutes of the March 20, 2025; Mr. Dawes seconded the motion.

Jennifer Hicks, PC Secretary, called roll:

- ✓ Randy Curless – *yes*
- ✓ Jeff Dawes – *yes*
- ✓ Sam Hann - *yes*
- ✓ Mark Milam – *yes*
- ✓ Doug Rice – *yes*
- ✓ Mike Ruse – *yes*
- ✓ Cheri Slee – *yes*
- ✓ Joe Vogel – *yes*

The motion passed unanimously.

11. Approval of Meeting Minutes – April 3, 2025

- ❖ Mr. Rice made a motion to approve the minutes of the March 20, 2025; Mr. Vogel seconded the motion.

Jennifer Hicks, PC Secretary, called roll:

- ✓ Randy Curless – yes
- ✓ Jeff Dawes – yes
- ✓ Sam Hann - yes
- ✓ Mark Milam – yes
- ✓ Doug Rice – yes
- ✓ Mike Ruse – yes
- ✓ Cheri Slee – yes
- ✓ Joe Vogel – yes

The motion passed unanimously.

12. Monthly Report

- ❖ Mr. Campbell provided the monthly report for April including the improvement location permit activity and financial reports. This was for informational purposes only, no action/motion was required.

13. Old Business

- ❖ **Unsafe Premise Order – 25 N Perch Dr, Mary Chandler, et al.**

- Mr. Mark Frantz, Plan Commission Attorney, stated the timeframe for responses from parties with interest in the property has passed. He was hoping for default judgement from the courts within the week allowing the Plan Commission to accept bids on the demolition and property clean-up.

- ❖ **Ordinance Review – Banning Engineering**

- There was nothing new to report from the ordinance review with Banning. The PC Office is hopeful they will be able to provide an update at the next meeting.

- ❖ **Mowing Bid Approval**

- Four bids were received and reviewed at the last meeting. PC Office Staff recommended J&M Mowing Services.
- Mr. Vogel made a motion to accept the office recommendation and approve J&M Mowing Services; Mr. Rice seconded the motion.

Jennifer Hicks, PC Secretary, called roll:

- ✓ Randy Curless – yes
- ✓ Jeff Dawes – yes
- ✓ Sam Hann - yes
- ✓ Mark Milam – yes
- ✓ Doug Rice – yes
- ✓ Mike Ruse – yes
- ✓ Cheri Slee – yes
- ✓ Joe Vogel – yes

The motion passed unanimously.

- ❖ **Fee Schedule**

- Comparative data between Wabash County and other Indiana Counties of similar size and population was provided to the board. No vote was made; item tabled for further review.

14. New Business

❖ **SE-25-002 Ruben Hilty, Noble Township**

- A request for a special exception was made to construct a school on the newly divided parcel on S 200 E just north of E 250 S. Mr. Campbell made mention that initially it was believed to be a required 25' setback from the property lines; however, further review of the ordinance found it should be 50'.
- Due to not having a traditional septic, the petitioner has been given information by the Wabash County Health Department on privy's and was instructed to work with the state on the proper approvals.
- Mr. Rice made a motion of a favorable recommendation contingent on privy approval from the State Department of Health; Mr. Vogel seconded the motion.

Jennifer Hicks, PC Secretary, called roll:

- ✓ Randy Curless – yes
- ✓ Jeff Dawes – yes
- ✓ Sam Hann - yes
- ✓ Mark Milam – yes
- ✓ Doug Rice – yes
- ✓ Mike Ruse – yes
- ✓ Cheri Slee – yes
- ✓ Joe Vogel – yes

The motion passed unanimously.

❖ **SE-25-003 Spencer and Kristin Ballinger, Liberty Township**

- Mr. & Mrs. Ballinger currently have a pet boarding/kennel on their property within the town limits of LaFontaine. They are requesting a Special Exception with a Variance to have the kennel on their property. Their property is currently half zoned R1 and the other half is zoned A2. Kennels are not permitted uses in R1 zoning districts, so the variance is being requested for that reason.
- Mr. Ballinger stated him and Mrs. Ballinger are young and didn't realize that a business such as this would require any approvals. However, they are doing what it takes now to make things right. He stated they have converted a garage to the kennel area for the boarded dogs. There are not outside runs like traditional kennels, instead they take the dogs out for walks and play time throughout the day. He also stated the garage has 2 walls to help block any sound from the dogs while they are being boarded.
- Mrs. Ballinger stated her and Mr. Ballinger are passionate about what they do, they love dogs and have never received a complaint to them about noise. She continued by stating eventually, they would like to build a bigger facility in the A2 portion of their property, but they needed to get established first.
- Mr. Campbell stated in the board packets are several letters of support from neighbors and customers of the Ballinger's.
- Mr. Campbell read a letter that was received from Ms. Teresa Snyder regarding being against rezoning the property. She stated she wasn't against the idea of the kennel, but did not want the property rezoned. Mr. Campbell clarified that the special exception petition was not a request to rezone the property.
- Mr. Curless asked for comments from the public.
- Mr. Ian Stone, a neighbor of the Ballinger's, stated he resides across from the Ballinger's and this is a quiet residential area. He stated the business is an illegal business that he didn't even know about until he saw it on Facebook.

Mr. Stone stated he called Mr. Campbell asking if the business was legal. He continued stating that he believes everyone can “agree one of the most annoying sounds is yapping of dogs”. He stated he would appreciate keeping the area residential since no one knows how many dogs will end up there.

- Ms. Megan Marks, neighbor across the street from the Ballinger’s spoke stating she didn’t know about the business until she saw it on Facebook as well. She stated she has never heard noise from the property. She continued by saying that everyone with dogs knows that they will occasionally bark. She stated she has not heard any issues from anyone other than Mr. Stone. She stated she has had more issues from Mr. Stone’s dog running at large than anything from the Ballinger’s. She stated the Ballinger’s take pride in what they do and that the kennel has been so quiet she didn’t even know it was there until it was on Facebook.
- Mr. Curless asked for any additional comments.
- Mr. Dawes made a motion for a favorable recommendation; Mr. Ruse seconded the motion.

Jennifer Hicks, PC Secretary, called roll:

- ✓ Randy Curless – yes
- ✓ Jeff Dawes – yes
- ✓ Sam Hann - yes
- ✓ Mark Milam – yes
- ✓ Doug Rice – yes
- ✓ Mike Ruse – yes
- ✓ Cheri Slee – yes
- ✓ Joe Vogel – yes

The motion passed unanimously.

15. Other Business

❖ Complaints Update

- Mr. Campbell provided the complaint update. There are 45 unresolved complaints; including the 58 rolled over from 2024 and the 17 new complaints received so far in 2025. 30 of the complaints are active or open, 2 have open unsafe premise orders, and 13 are with legal counsel. 9 of the rolled over complaints have been closed in 2025, 4 complaints received in 2025 have already been closed. 2 complaints have been received since the last meeting. 13 complaints have been resolved in 2025 for a total of 71 complaints worked. Additionally, there are 13 properties that are being monitored for ongoing compliance.

❖ Any other business

- No other business was heard

16. Adjournment

- ❖ Mr. Vogel made a motion to adjourn. The meeting was adjourned at 8:15pm.

Also present: Ronnie Behny, Kent Marshall, Theresa Marshall, Kip Gaerte, Gene Custer, Nicky Burnsworth, Bill Burnsworth, Raymond Schwartz, Tim Shetler, Jim Campbell, Mose Graber, Norman Shetler, Leri Schwartz, Ruben Hilty, Roger Peebles, Janet Lyons, Teresa Brubaker, Latheda Metzger, Donna Harman, Alex Metzger, Louella Krom, Cindy Runkel, Steve Runkel, Craig Hall, David Pyle, Sally Randall, David Randall, Josh Leffel, Melissa Leffel, Delorn Elliott, Brent Klutz, Spencer Ballinger, Kristin Ballinger, Bill Greer, Heather Galbraith, Liam Galbraith, Amy Lybarger, Megan Marks, Kati Bradford-Marks, Steve Vawter, Zach Vawter, Katie Vawter, Janet Wright, Joseph Menna, Jennifer Menna, Keith Walters, Time

Powers, Alex Miracle, Wes Brubaker, Cathy Montel, Boyd Brubaker, Anita Brubaker, Ryan Hauptert, Sonya Hammons, Brian Hammons, Randy Niccum, Diana Stephan, Chris Hickman, Tami Hickman, Andy Zay, Jerry Kirtlan, Matt Ward, Hunter Wells, Debi Vawter, Cris Renn, Rebecca Merkel, Michael Herzog, Suzanne Peebles, Jenn Emrick, Dan Metzger, Brad Brubaker, Mike Hawkins, Pam Hawkins, Rodney Warren, Steve Kirtlan, Roger Cook, Deborah Cook, Matt Montel, Missy Dierks, Todd Dierks, Gary Runkel, Darrell Boone, Ian Stone, Stacey Hippensteel, John Hartsough, J. Olson

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