

Hamilton County Plan Commission
January 20, 2021

Mr. Habig called the official meeting of the Hamilton County Plan Commission to order at 7:02 p.m.

Prior to this meeting we did hold an Executive Session pursuant to Indiana Code 5-14-1.5-6-1(b)(2)(b) to discuss pending litigation regarding enforcement of the Hamilton County Zoning Ordinances.

Members present: Diane Crim, Frank Habig, III, Jim Galloway, Kent Ward, Mark Heirbrandt and Tom Clover. *Absent:* David Musselman and Steve Schwartz. *Also present:* Aaron Culp, Legal counsel; and Linda Burdett, Secretary.

Declaration of Quorum: Mr. Habig declared a quorum with six out of nine board members present.

Fourteen people were attending tonight's meeting through a program called TEAMS. Our board member, Bill Root of the extension office, was later found to be one of the fourteen.

Mr. Habig apologized to everybody as far as limiting the number of people here tonight. We're just trying to address Covid-19... we've got to really limit the number of people. So I apologize for that.

Guests: See sign-in sheet.

Communications/Reports: Mrs. Burdett stated that everything had been passed out.

Approval of Minutes: Mr. Habig identified **the minutes of the November 18, 2020 meeting.**

Mr. Galloway moved to approve the minutes as presented.

Mr. Heirbrandt seconded.

With no comments or corrections... Mr. Habig called for the vote. **6 yes votes... 0 no votes.**

Public Comment: Mr. Habig opened the meeting to the public for anyone who had something to bring up that was not on the agenda. And with no one stepping forward to address the board... Mr. Habig closed the public portion of the meeting.

Correspondence: Nothing to present.

President's Report: No report.

Election of Officers: Mr. Habig opened nominations for President.

Mr. Heirbrandt made a motion to appoint as president - Frank Habig.

Mr. Ward seconded.

Mr. Galloway moved to close nominations.

Mr. Ward seconded.

With no further comments... Mr. Habig called for the vote for Frank Habig as President. **6 yes votes... 0 no votes.**

Mr. Habig opened nominations for Vice President.

Mr. Galloway nominated Tom Clover.

Mr. Ward seconded.

With no further nominations... ***Mr. Habig asked for a motion to close nominations.***

Mr. Ward so moved.

Mr. Heirbrandt seconded.

With no further comments... Mr. Habig called for the vote for Tom Clover as Vice President. **6 yes votes... 0 no vote.**

Mr. Habig opened nominations for Secretary.

Mr. Ward moved Linda Burdett.

Mr. Galloway seconded.

With no further nominations... ***Mr. Habig asked for a motion to close nominations.***

Mr. Ward so moved.

Mr. Heirbrandt seconded.

With no further comments... Mr. Habig called for the vote for Linda Burdett as Secretary. **6 yes votes... 0 no vote.**

Membership appointments to the BZAs: That puts me, Frank Habig, back on the North BZA and David Musselman for the South BZA.

Mr. Heirbrandt so moved.

Mr. Galloway seconded.

With no further comments on the appointments... Mr. Habig called for the vote. 6 yes votes... 0

no votes.

Old Business: Nothing to present

New Business: Mr. Habig began with **NBZA-L.U.V.-0013-10-2020** a Land Use Variance. That petition was tabled in October and withdrawn December 2020.

Mr. Habig continued with **NBZA-L.U.V.-0001-01-2021** a Land Use Variance with a recommendation to the North BZA. This is concerning allowing a six (6) guest bed and breakfast facility in an existing single family residence. **Location: 22457 Springmill Road, Sheridan, Indiana.**

Good evening. **I'm Jane Giles** and I asked Andy Wert to represent me on this matter.

Andy Wert, a land use professional with the law firm of Church, Church, Hittle & Antrim with offices at 2 North 9th Street here in Noblesville, stated his name, profession, employer and his employer's address for the record. With me tonight is Mrs. Giles and an associate attorney with our firm - Justin Hayes.

The subject site is Mrs. Giles' residence. She built the home here in 1993 and the following year she was granted approval from the board of zoning appeals to run a day care home. That day care has been in continuous operation since the 1994 approval.

She now has plans to get approvals from the appropriate authorities to cease operation of the day care and open a bed and breakfast establishment.

It is still pretty isolated; a pretty calm setting; well-tended lawn. There is a pond in the back yard. There are a couple of donkeys that reside here. They came up with the name Donkey Trod Acres for the pending bed and breakfast. There are six or seven acres on this site.

We just feel there is a solid market for offering a quiet, rural getaway experience that also plays into the agri-tourism facet of your comprehensive plan and still within easy travel distance of other Hamilton County attractions like Grand Park.

As far as improvements are concerned - we don't really anticipate any. With the current day care, we believe there is plenty of off-street parking. With a maximum of six (6) guests it is unlikely there would be more than three extra vehicles on this property at one time.

The septic field has functioned fine with the day care operation all these years.

We have heard from the surveyor's office, the highway department, and the health department... all supportive.

As a result of their feed back we are offering the following commitments for the Land Use Variance to be approved:

1. The existing day care will close before the bed and breakfast starts up.
2. No more than six (6) guests at one time.
3. The owner will continue to reside at the residence.
4. A commercial drive permit will be applied for and any recommended improvements to the existing drive will be implemented.
5. And finally, we will follow the Indiana Department of Health's change of use approval process with regards to the existing septic system.

In fact, we have already been in touch with Frank Hager to start that process. We're excited to present this to you and welcome your thoughts and feedback. It is really a less intensive use than the current day care operation. It's a great way to showcase our beautiful county and all it has to offer.

Mr. Heirbrandt advised all present that we have a new audio system just to make sure everybody in the public can hear us but also when it's being streamed you need to talk into the microphone.

Mr. Habig asked if at the time of the day care... did they ever talk about a commercial driveway or a commercial septic? (2) How close are you to the town of Sheridan's jurisdiction? (3) And Grand Park?

Mrs. Giles stated that she had a gravel drive but now it is paved. (2) They are across the street. (3) It's just seven miles away. There are also the concerts.

Mr. Ward asked which floor the guests would be staying on. (2) Are there any requirements since there will be overnight guests as far as fire safety?

Mrs. Giles stated that it was ground level, but it was earth sheltered. It looks like a walk-out basement but it's not actually a basement. (2) I have no idea. I'm just getting into this. I do have three exit doors and windows. The only thing that is underground is the kitchen, a storage area and the bathroom.

Mr. Habig asked Mrs. Giles if she would be at the house whenever there were guests.

Mrs. Giles answered yes. I will continue living upstairs.

Mr. Heirbrandt asked Mrs. Giles if she currently had a septic system. (2) Does it have the capacity to accommodate the guests?

Mrs. Giles answered yes. (2) I have 12 kids in my day care and there are usually two adults.

With no further questions from the board... Mr. Habig advised the board they were passing on a recommendation to the North BZA.

Mr. Galloway moved to pass on a favorable recommendation subject to the conditions that they stated they are willing to put on it and approval by the health department.

Mr. Heirbrandt seconded.

Mr. Habig stated that with Grand Park - I think it's a great location. She would be one of the first to try out something like that for us. With the comprehensive plan there are some things that we need to look at with these new ventures coming at us. I think it's a great idea.

With no further comments... Mr. Habig called for the vote. ***6 yes votes... 0 no votes.***

Mr. Habig continued with ***HC-0001-01-2021***. We are passing on a recommendation to the Hamilton County Commissioners. This is concerning the review and proposed Hamilton County Plan Commission Comprehensive Plan 2020.

Mr. Habig advised all those present that we will run through this and then when Mrs. Meyer's is done will we open it up to public discussion... that's when everybody will be able to get up and voice their opinions.

It is important to remember that the comprehensive plan and the zoning ordinances are two separate tools that are used in conjunction with one another. The comprehensive plan acts as a guiding role and provides recommendations on how land should be utilized to meet the needs and desires of the community; whereas the zoning ordinance regulates the land uses recommended by the plan.

Mr. Habig stated that the last comprehensive plan was done in 2006. Most counties will review the plan at least once every 10 years to re-look at roads, population growth, and trends that are going on that we need to be aware of as we map out the development of Hamilton County. When we decided that we were going to go through this, this was before the whole Covid epidemic hit. Through a lot of discussion and interviews we hired Mrs. Meyers' team. When we first started out, we decided we would do three public meetings in each of the townships. The first ones went off without a hitch and then Covid hit and it was trying to make sure that everybody's voices got heard. It's been tough not being able to have big group meetings. We managed to make our way through it, and I know there are some people who may feel that they got left out through the process. We tried our darnedest through a lot of social media and signage mailers to get the word out. I think we got a pretty good representation of the county to take all that information and compile a new comprehensive plan.

Corrie Meyer: We are just under a year on this process. You're holding this public hearing and then you will make an approval that will move the comprehensive plan to the county

commissioners where they will choose to amend it, redact it or approve it. Next it would be adopted in a resolution. Zoning is law; it's enforceable. The comprehensive plan is a guiding document. It's meant to be the threshold that all of your codes come up against.

We made some recommendations that are outside your jurisdiction. The reason why we made that voice is because you're an influencing body. We want you to use that influence to influence other county departments, the commissioners, the councilors, and so on.

I am the president and CEO of Innovative Planning. I'm an urban planner and landscape architect. With me is Sheila McKinley with Christopher Burke and Darren Peterson with Peterson Architecture. The three of us were the primary team for the project.

Mr. Habig stated that we are going to divide this meeting up so we will be back in February.

Corrie Meyer: We will go through a quick review of our process, our analysis, the public engagement, and then population projections and recommendations.

Our steering committee was made up of members of this plan commission, members of the BZAs, county council, Hamilton County Tourism, ~~added~~ and one citizen member.

We worked with the steering committee to establish a mission for the comprehensive plan. The mission is: Residents and leaders of Hamilton County shape a land use vision that strikes a healthy balance between environment, community, culture / values, and economy for the Hamilton County Plan Commission to implement over the coming decade.

All of the goals we have presented are working within that ten year timeframe. During our research we found information that we already knew like Hamilton County is the fastest growing county. We're also on average with the state for the medium age of 38. We're also making babies and losing people at about the same rate. We are in-migrating about 5,000 people per year. As a result of this growing population our acreage of farmland is decreasing.

One of the key goals that came out of this is that we want to preserve the farmland which means that we need to manage our density population growth.

We also looked at income of individuals. Hamilton County by and large has a very high median household income but our townships in the rural communities have a much lower median income. That is something that we took into consideration as we were thinking about our recommendations.

Between 2010 and 2018 we become more diverse by 5 %. The populations that are growing in Hamilton County are the Asian population and the African-American population.

We also completed a market demand study that took credit card records, the spend dollars and how people spend them in the townships themselves and it told us where there are opportunities

to spend money and where we can be growing and where there is an excess of sales. In Wayne Township there is an excess of sales in lawn and garden. Or floor covering in White River Township.

This information was primarily used to garner our economic development strategies. The full report of this market analysis is in the appendix.

We also worked with the Hamilton County Sheriff's Office to get 2019 crime data. It's primarily personal incident, accidental property damage. Hamilton County is by-far a very safe community. For violent crimes we rate 9.75 where the national violent crimes is 116.25. The highest intersection of accidents was at U.S. 31 and 236th Street.

Farming is a big component of the townships. We are pretty much split between corn and soybeans in production. We have over \$ 100,000,000.00 dollars of sales of agricultural products annually. Eleven farms sell direct to customers. We have 127,277 ~~127~~ acres of farmland. There are 585 farms. We have 1 % of the ag sales. The age of these producers is middle age. We've got families. We are not looking at retired farmers. You know if you're a farmer, you really don't ever retire. Ninety percent (90%) of the land overall is zoned agriculture.

We took a look at parks and where there are no parks. There are three parks in White River Township. No county parks in Adams Township. In White River Township it's predominately a trail but again there is a critical deficiency for park land in the three townships.

This plan does not represent the whole county. As you know this is just your jurisdiction but for the people listening at home and the people in the room the jurisdiction is White River Township, ~~added~~ parts of Adams Township, ~~added~~ most of Wayne Township, and a little sliver of Noblesville Township in the northeast corner.

Sheila McKinley: This is the foundation for some of the recommendation that came out of the planning process. The importance of understanding the floodplain and that the river needs the entire floodplain to function. We should minimize encroachment in that area. We need to also remember that the river is very dynamic.

We covered stormwater regulations, floodplain regulations, pretty much what FEMA ([Federal Emergency Management Administration](#)) requires, what EPA ([Environmental Protection Agency](#)) and IDEM ([Indiana Department of Environmental Management](#)) require. We talked a little bit about how the intensity and frequency of storms is increasing. Another argument for protecting that floodplain area.

There are a significant number of regulated drains in these three townships.

White River Township has a fairly significant river and floodplain in it. We wanted to incorporate some of the recommendations of the White River Vision Plan that went through Hamilton and

Marion County along 58 miles of the White River.

We also looked at transportation. This plan is not intended to replace the thoroughfare plan. The intent is once this is complete that the county highway will update the thoroughfare plan in partnership with the Metropolitan Planning Organization.

Corrie Meyer: We heard, in the first series of public meetings, that there is concern about the availability of broadband. Turns out there is limited coverage in Adams Township, White River Township and Wayne Township.

As part of the recommendations we created proposed land use maps. Your existing land use maps started as a foundation for the use. Between the townships 80 to 90 % of the individual townships are zoned agricultural. There is a little sliver of commercial in each one of them. And the other primary district is residential.

The survey we distributed was open to everyone. One of the questions was... “Where do you live?” which allowed us to dissect the survey answers. It was pretty equally split between Wayne Township, White River Township and Adams Township and then the corner of Noblesville.

What we heard on the survey and in-person was that there is a strong preference towards the future of agricultural land use, and no more development please but we’d be ok with single family residential development and we’d be ok with recreational.

From the standpoint of what is missing... we heard high speed internet, access to the library, and a grocery. One of the options that came through again was... no more development please.

We asked... “What types of land uses would you support along the major corridors?” and by and large you see the preservation of agriculture as their strong preference. Light industrial they would also consider. Not so much towards high-density or housing along the major road corridors.

Preserving agriculture and the floodplain is a high priority for the folks that answered the survey.

We had several hundred people respond to the survey questionnaire. Every single answer is in the appendix.

We have already shared our information with the county surveyor and the highway department. A couple of the questions we asked was... “Where are there issues?”

One of the pieces in our scope of work was to create a population projection. The county is expected to grow 10 to 70 % over the next 45 years, 35 years. If we just look at the individual townships and overall population growth – in Adams Township by 400 over the next decade, White River Township losing 13 people but basically staying the same, Wayne Township growing

by 1,500, and we couldn't breakout just your sliver of Noblesville Township, so we had to do it as a whole with Noblesville growing by 12,000.

We see growth and we have to be mindful about how that land use relates to the increase in population. We also discovered that the number of seniors in Hamilton County is growing. Not only are people moving in, but people aren't leaving.

The recommendations enfold into five different categories. One – we need to endorse agrarian culture and quality of life. We need to balance current land uses and growth in a sustainable manner. Protect floodplains and natural resources. Strategically encourage economic development in business and agriculture. And we need to manage population growth by increasing clusters of population density.

We took all of these recommendations to the three different townships and we rolled out recommendations from the first draft to get their input. We needed to make some changes because they weren't in line with what the township was looking for.

Under quality of life – support, livability, invest in recreation. These primarily are the same as the first draft. Making sure that we're inclusive and that we're promoting aging in place. And that we adopt a policy that incentives green infrastructure. That piece is new from the original draft. It came out of recommendations from the steering committee.

We also want to look at housing stock and managing invasive species by making sure we're supporting affordable housing options and that we use language and partnerships to support having more affordable options in our townships. We want to make sure that our codes aren't allowing people to plant plants that are going to take over our natural habitats.

We've included a link to where you can always find an active list of the invasive species that Purdue maintains.

Shifting into land use – The first goal is you need to engage in a new comprehensive plan in 2029 because this is only a 10 year plan. We want to make sure that we're expanding definitions. There were some things that aren't necessarily defined in your zoning code today like "barn" or "fast food restaurant." "Restaurant" is defined but "fast-food" is not. So maybe there needs to be some bolstering of your definitions.

The U.S. 31 Corridor - we worked with the highway department and the commissioners to lay out the county's recommendation of the improvements to U.S. 31.

We are also making the recommendation that a rural urban fringe overlay be created in Wayne Township. The underlying zone in these areas may just support agriculture or residential but as new developments come forward you might consider favorably an increased density in this area.

Rural land use – there was a lot of talk about preserving agricultural land in the public inputs, so the recommendations are just that. For public services to sustain the agricultural enterprise. We want to protect soils that are highly productive. Along the White River corridor that is highly productive soil. Overall, you have no low productivity areas.

We also made the recommendation to consolidate districts. There are a lot of agricultural zones and we are recommending that that be consolidated into two different zones. And that you look at loosening the current 10 acre lot size and continue to strike a balance between the needs of water and management in that area.

At all the public meetings we had an additional recommendation that said revise and apply density credit language to all agricultural zones. And look at a tiered structure between protected agricultural land, agricultural districts, and rural residential districts.

Then we had a recommendation of acreage and that acreage was based on a Purdue study that was created around agricultural land use planning. Based on public input and input from the steering committee we have pulled back that recommendation and basically said on the last line here... “Going forward the plan commission needs to evaluate density credit language for all agricultural zones.” If you go more dense here then it will preserve agricultural land elsewhere.

Residential – Again we’re recommending the consolidation of districts. There are several different residential districts. All have a minimum 10 acre rule to them. We’re asking you to think about revising that minimum lot size to permit a tiered lot size rather than all zones having a minimum 10 acres.

Commercial – Again consolidating districts. Supporting and promoting home businesses.

Renewal Energy - There is a wind ordinance that you already have. We’re making the recommendation that you make a solar ordinance, and in that ordinance, it has a series of evaluations like a decommissioning plan, what are the setbacks, and the visibility from neighbors.

Preservation - Promote and support the preservation of historic assets.

Maps - These maps were created based on your existing zoning maps, the aeriels and how they’ve changed, drive-by surveys. And then the U.S. 31 Corridor and how we want to think about that.

We are recommending that the golf course area go rural residential along with residential along the Jackson Township border here.

Then in Wayne Township with some commercial activity on State Road 38 and State Road 32.

Economic Development - We start with technology. We want to make sure we are meeting the

gaps that we have today. There is an avenue where you can create a broadband infrastructure plan and there are funds from the state that you could apply for a national telecommunication information grant.

Anerobic digestion - Looking at promoting energy and waste management. Creating a bio-mass digester ordinance.

Agri-tourism - Promoting agri-tourism activities in agriculture districts. We're making a recommendation that you have a formal approval process that goes along with the use and it requires a development plan, setbacks from property lines, and an evaluation of infrastructure requirements.

Aqua-culture - Having a plan moving forward but overall supporting aqua-culture activities and permitting uses in the agricultural zones.

Improving healthy food access for our local food systems. Potentially looking at creating joint use agreements between local farmers and consumers here in the county. And then adapting and revising our ordinance accordingly to permit new food, beverage and farm related operations.

Equestrian planning - There is a statement as to why we need to have equestrian planning. We have a large agricultural open space and that is prime land to accommodate equine activities. There is a growing demand for equestrian activities, and they range from commercial breeding, training, boarding, and riding. Some of these you already have codes to align with and some of them you don't.

One of the recommendations is to allow equine activities in the agricultural zones and in the rural residential zone which is the large lot residential. The recommendations are to establish development standards for various horse activities and those activities could include multi-use trails but not exclusively to multi-use trails, determine appropriate buffer requirements when adjacent to commercial or residential uses, review the horse density standards per acre and other equine best practice standards to promote and support equine land use. Engage the horse farmers, the equine community, county parks and recreation officials, and land owners to determine if and when additional trails might be developed. An outcome of that might be some additional equine related amenities at Koteewi County ~~State~~ Park.

Stormwater recommendations -

Sheila McKinley:

Out of the public engagement process it was pretty clear folks supported protecting the waterways, restoring stream health, floodplain function, flood storage for current and future precipitation, maintaining agricultural parks and natural areas in the floodplain.

This is a recommendation to create the different types of overlay zones. We have the river corridor impact area and the fluvial erosion hazard area. The whole idea is this and the floodway whichever is greater to create an overlay zone and there is no development in this corridor. No infrastructure. No encroachment. This is an area where the stream has a lot of energy and needs to move. You can still have open space, agriculture, natural areas, parks just no buildings.

Number 2 is the vulnerable developed area so where there is development now in the floodplain. What kind of mitigation strategies can we put in place to help reduce the potential flood loss in those areas?

Undeveloped high hazard flood storage areas - These are undeveloped areas in the special flood hazard area. These are important depressional areas for flood storage. It is important to keep those in open space, parks, agricultural uses. The prime ag land is in the floodplain.

Safer areas - This is where we want to push our capital projects. The recommendation here is to push growth and development outside of the floodplain all together.

The four recommendations that came out of the stormwater and floodplain discussion – the first one was attaining flood resiliency by reducing future flood related risk by maintaining the natural and beneficial function of the floodplain. You can see where those areas are along the river corridors.

Another recommendation is to improve regulated drains, better manage stormwater quantity and quality. The regulated drains are a critical part of stormwater conveyance. Many of these drains are from the 1800s. Whenever these drains need to be reconstructed promote a two-stage ditch design. This is a great way to accommodate flood storage, improve water quality, and still have the drain function as intended.

Enforcing that 75 ft. drainage easement. Making sure that people who move to the area don't dump debris in the area, they don't build a shed in that 75 ft. easement, making sure they respect that that area should remain accessible. How do we promote a pilot program where we start to incorporate native grasses and native plants yet alternate for access and the water quality benefit that can come from those plants?

Another one is promoting soil health for sustainable agricultural practices to improve water. The more organic matter that is in the soil the better. The more productive the land is... the more storage potential it has for stormwater and flooding. You can hold a lot of that moisture from the increased precipitation in the land itself. Ways to promote that are using cover crops, no-till practices, encouraging rural land owners with livestock to prepare a manure management plan that will detail: storage, land application, and transfer of manure. We don't want those pollutants making their way into our waterways.

Restoring the soil structure as opposed to soils compacted either by heavy farm equipment or development practices. Restoring the ability of the soil to hold the stormwater and promoting native vegetation.

And, then implementing the principals of the White River Vision Plan. Some of them certainly apply.

Under transportation - We have two recommendations. We're not here to replace the thoroughfare plan. It should be updated separately.

The last thoroughfare plan was done in 2007 and is due for an update as well. Work with the Metro Planning Organization to update and build on all the studies that they've done. Balance land use and transportation decisions.

What we heard from public comment was the roads need to be functional, but the public also wanted to maintain the rural character. Then incorporating complete streets making roads accessible and safe for all modes of transportation.

The second one is a "rustic roads program." Designating certain county roads that have unique rural character. This designation cannot prevent roads from being improved for public safety purposes.

Corrie Meyer: The final recommendation is implementation. You need to approve this plan to forward it to the commissioners. As you work on your individual boards be in the know and stand firm on these recommendations. These recommendations were based on a lot of research. They were based on a lot of community input. And they were based on your leadership. The more you can stand firm and stick to your guiding document the stronger your community will grow efficiently and economically.

With that I'm going to conclude. At the back of the document we did include some planning worksheets that were included in the 2006 ~~2009~~ Comprehensive Plan. The steering committee thought they were a good resource and they should still continue to be included. They outline basically stormwater best practice managements and how you can score that on different projects.

I'll take any questions that you have.

Mr. Heirbrandt asked Mrs. Meyer what from the study did she find that surprised her.

Mrs. Meyer answered... the income disparity especially since Hamilton County has the highest net worth in the state yet 60 % of some of the townships are moderate / low income. It really tells you how wealthy Carmel and Fishers and Noblesville are compared to the rural population. The other thing that surprised me was the amount of floods and stormwater areas in the county

and the amount of drains and how that impacts the agriculture in the area. The final thing that surprised me is this 10 acre rule. I was aware there was a 10 acre rule but there are a lot of opinions on both sides of it. In looking at the Purdue recommendation the study basically says, "establish a size for your minimum lots in order to preserve agriculture."

Some of the individuals in the individual townships would say you don't preserve agriculture by maintaining minimum lot acreages. You have to sell off 10 acres and then 9 acres becomes under utilized agricultural land. It becomes weeded or reforested or not maintained as it could have been if it had had a smaller district.

With no further comments from the board... Mr. Habig opened the hearing to the public at 8:10 for anyone who wanted to voice their concerns, objections, positive things. You'll have to step up to the podium, state your name and address. Feel free to do that. The people who are watching us through the video conferencing, you are muted. Once you call in you press * 6 to be able to talk. With that I will go ahead and open the public hearing.

Mr. Culp asked if there was going to be a time limit.

Mr. Habig asked if we could expedite things and limit everything to three minutes.

Don Morris of 10941 East 234th Street, Cicero, Indiana. This is the first time that I have ever been here. I have been a property owner at 234th Street for five years. I pay \$234.00 for 17.5 acres. I pay \$ 272.00 for the property next door. I have about a hundred and a half north and now I'm learning about this pedestrian path or bike path. If you look on this comprehensive plan on page 31 right column it talks about MPO. A regional bike and pedestrian plan on 234th Street. Is this a done deal? Is the pedestrian path going to go through? Are you the body who approves it? Or does the commissioners approve it? What is this process where I can get some input on this? I have about 800 ft. of frontage. Hamilton County already owns the property next to the street.

Mr. Heirbrandt asked the speaker if his property was east of U.S. 31. (2) Sir, if I could get your information, I'll get with our highway department tomorrow and I will get you that answer on what has been planned by the highway department. (3) I'm not saying that it's a done deal. It's never a done deal until it's been funded, and it's went through a vetting process with public hearings and input from the public. (4) Yeah.

Mr. Morris: No. I am directly west of the White River Campground. South side of the road. The southeast corner of my property overlooks the campground. It is a beautiful piece of property. I have a real worry about this bike path and I'm just trying to understand where it's going to be located. Will it be part of the road?

My next door neighbor suggested that it was actually offset from the road like a separate path. Like road, ground, path, road, my property line. Supposedly it comes out of Noblesville High

School, up Cumberland Road to 234th Street and then goes into Cicero and into the campground.

(2) So it's a done deal. (4) So this body is unaware.

Mr. Culp advised Mr. Morris that this is not the body that proposed that bicycle path. That is done by a different department in the county. We're just reflecting what has been proposed in the plan.

Mr. Habig asked Mr. Heirbrandt if that was the thoroughfare plan.

Mr. Heirbrandt stated that it could be part of that, or it could be part of the parks department. Until I make some phone calls I won't know. (2) Indianapolis MPO? (3) I'm on that board but I have not seen that.

Sheila McKinley: The bike and pedestrian information came from the MPO ([Metropolitan Planning Organization](#)). They did a regional study, and these are very far in the future. (2) Yes. They've completed a long range bicycle and pedestrian plan. It's all existing information from the highway department and the MPO.

Matt Hostrawser, of 186th Street, stated his name and street name for the record. I moved here about two months ago. Thank you for your time and for opening this up to a public forum. It is great to see this happening.

The Olio Road extension that is drawn on page 32, I believe, of the comprehensive plan that seems to go through a number of different houses the way it's drawn on that map. And that map does appear to be different than if you look at the MPO's map of that same Olio Road extension. And it's yet again different on the map that's on the appendix. I did look though the whole almost 500 pages. I was very impressed by the way.

My question is... where is that road going?? That whole Olio Road extension? Obviously, selfishly I'm real concerned between State Road 32 up to 206th Street. I know it is way out there 20, 45 years but still... (2) No problem at all.

Mr. Heirbrandt asked Mr. Hostrawser for his information and he would get that to the highway department. I know that part of that is, probably, through the MPO and other parts... I apologize but I will have to get that from the department there. (2) I appreciate you asking the question. We'll get you an answer. Thank you.

Aaron Sheller, of 22093 Prairie Baptist Road, stated his name and address for the record. My specific question is when reading through the plan I didn't see an area where they specifically talked about livestock production. I know they talk about an equine development plan and we kind of have things in place for that, but my wife and I have developed a very successful freezer meat business and we now sell in three different states. We continue to grow aggressively in

that market. We were just wondering what the long term plan for that is if we're trying to become more aggressive in rural development.

Another concern is when they were talking about this "corridor" along the river, where the river bottoms, where we may or may not be considered to be a floodplain but it's a floodway, I guess... leaving just that as agricultural production would be very challenging for a farmer.

I was just wondering if livestock production had been addressed at all in this plan and I missed it, or if it was something that maybe you had thought about.

Mr. Habig stated that he thought the freezer beef would kind of fall under the agri-tourism part that we're taking a look at, and whether or not you would invite people out to the farm to take a look at the facility while you're selling the freezer beef. Those are all things that we're looking at.

Corrie Meyer: While we don't talk about livestock specifically, the recommendations that we have that deal with agriculture were structured with the mindset of filling gaps that your existing regulations do not already cover. You already have codes that are adequate for livestock production that we didn't feel that we needed to address it specifically in this comprehensive plan.

However, I do agree with you, Mr. Habig, that that would fall under agri-tourism for the freezer meat.

I would be happy to add a section about livestock if you feel it necessary. (2) That's fine.

Mr. Heirbrandt stated... if you're happy to do it. (2) Thank you.

Mr. Sheller, does that help answer part of your question?

Mr. Sheller answered, honestly for me, if I know that the future is the kind of codes that we have in place I can work around that. I'm perfectly fine with her not going through the extra rigger. I'm good either way. You answered my question.

Mr. Culp suggested that they go ahead and do that just because the plan drives our ordinances. As we look at ordinances in the future, we want to have this reflected in the plan.

Mrs. Meyer stated she would go ahead and add that.

David Adam Sheller, of 21665 Prairie Baptist Road, stated his name and address for the record. I'm kind of right on the line of Wayne and White River Townships. The 10 acre rule... I like it. I do think it's challenging either way you look at it. I do reside on the executive committee of Farm Bureau of Hamilton County. We are very, very split on a lot of that. Some people want 5. Some

people want 10. It does give the opportunity for some smaller farmers to be able to farm around their house especially down by us. You go right down the street – there’s a million dollar home and there’s 5 acres of lawn and there’s 5 acres of farm ground. It does give some opportunity maybe not for the large grower, but it does give an opportunity for some small farmers. Thank you.

Mr. Habig advised Mr. Sheller that the board would appreciate his input when they started re-evaluating some of the ordinances. As a member of the Co-op, we would love to have your input when we start having those kinds of meetings.

Tim Clark, of 23821 Hobbs Road, stated his name and address for the record. I would just like to point out, and have people remember, when you make changes that there are changes that occur that you don’t count on. As long as you have a restrictive housing area people will take care of the older houses better. People will invest in the other houses and remodel them to make them nicer. I like the 10 acre rule. I used to hate it. I despised it. But after getting on the county board I learned to appreciate it right away. I think most of you would all agree when you get tired of the hustle and bustle of the city... what do you do on the weekend? You go to Brown County.

They talked about more regulations for agri-tourism. After a while it doesn’t look like Brown County it looks like the old high school down on 16th Street. The more paved parking lots you put in, the more rules we make, the more you restrict things.

I just want to point out that we need to be careful of what we do. They told us at one of the seminars if you approve a building addition two miles out of town and they run a sewer line to it you’ve just developed all the land between them because the sewer line will attract developers. People don’t think about that when they do it. There are a lot of things that will have other impacts that you didn’t consider or think about that maybe you aren’t as happy with as you thought you would be.

Nothing is cut and dried anymore. It’s either one thing or another. Thanks for your time.

Mr. Habig stated that we would take a phone call.

Hello. Thank you very much for taking my call. I haven’t been able to see the graphics that they’ve been putting up. **My name is Sandy Thomas. I live off of 196th Street in Wayne Township.** I’m a full time realtor. I can tell you that the 10 acre rule in Wayne and White River and Adams Townships is very attractive to buyers and they come out here and buy a large acreage, 10 acres, and they put up nice homes which produce a good amount of property taxes for the county. Even though they may not be producing agriculture, they are producing property taxes for the county.

I have been listening to the meeting today. Unfortunately, I wasn’t able to review the documents

prior to the meeting but I think that is something that is important to remember.

Mr. Habig stated that we would have another meeting in February if you would get a chance to review the plan between now and then please feel free to call back in at our next meeting.

Corrie Meyer: Yes. You can review the plan on the comprehensive plan Facebook page. It's on Facebook @planhamiltoncounty

Mrs. Thomas: Thank you very much.

Becky Harger, of 16222 Prairie Baptist Road, stated her name and address for the record. I am also a member of the South BZA. I noticed that Mrs. Meyer's mentioned adding language of density credit and with the little bit of research that I have done with the density credit tends to take the form of a "cap and trade" situation. Mrs. Meyer, can you tell me if that is the line of thinking?

Corrie Meyer: I'm not familiar with the "cap and trade" lingo. The system that is in place today talks a little bit about density credits. Underneath R-4, I believe, has a density credit in it. I think it's worth merit to review this density credit and understand how it can be strengthened. Basically what it says is... if you have 20 acres and you consolidate your development down to 2 acres then the other land would be free for other uses. Mrs. Harger, I can follow up with you on the exact code and point you in the right direction of what you have already. As you move forward you can strengthen and apply that to all of the residential districts.

Mrs. Harger: I seen some examples used in other states that do this kind of "cap and trade" situation that I'm thinking of that a land owner or somebody with lots of acres, maybe, would be the one most impacted by something like this but they would look at a whole region of land, the zoning and they would say this is the number of people we want to live in this region and then they would give a zoning credit for every acre and then that land owner that has a lot of acres can sell his credit to a developer and then can apply them to another piece of property and put more density. Is that kind of what you're thinking?

Corrie Meyer: Honestly, we had not taken it that far to go into that depth of how the credits work and whether they were exchangeable or not. Our recommendation is merely that as a way to preserve agricultural land one of the things we should be looking at is having this policy for density credits. That is something that the plan commission, as they move forward to implementation, will need to evaluate and understand how all those best practices and the other jurisdictions do that.

One of the other things that is in the plan is incentivizing development for green infrastructure and consolidation districts. That is kind of what you talked about where you might have a developer that comes in and buys 100 acres and we tell them as a plan commission that you can only use 40 of those acres and 60 % of the land needs to be designated towards open space or

ponds or detention and things like that. There are lots of different avenues whether its individual home owners or developers you can have all these types of credits.

Mrs. Harger: It's kind of a free enterprise way of handling it. It is luring people into making the right choices. The other example I've seen a lot of time will link together some grant money that's available at the county or state level and also a stimulus for those who would choose to commit to preservation because otherwise they simply make a whole lot of money if they didn't sell at a developer rate.

Corrie Meyer: I wasn't thinking of the credit as being a free trade enterprise. It was more of how the plan commission evaluates the plan going forward. I did find the place in A-4 Agricultural Business District. It says... "Where an existing single family residential structure along with the accessory buildings have existing since before May 1990 a new parcel may be created and split off. The minimum new parcel size shall be not less than one acre. A minimum remaining parcel size shall be no less than 37 acres." Then it lists a couple other different criteria. When we were thinking about credit it was more of a scoring system that you as a plan commission or a BZA are using. It is not necessarily a land owners tax credit or money credit that they are trading between home owners.

Mrs. Harger: I think what people stumble over is... what's that magic number that we're going to pull out of the air? Is it going to be a 10 acre minimum? Is it going to be a 20 acre minimum? Is it going to be what you said... that you can develop this many, but you have to leave the rest? It is really hard to be equitable in that kind of format because somebody is always going to have 9.5 acres instead of 10. I'm saying there are some examples out there that are worth taking a look at that are being done across the country that I feel like is more equitable. Of course, that is going to take them a lot more time to digest and go through and maybe that's not part of the deadline that you want for this particular plan.

I would encourage the board to look at some of those examples. You can go on-line and search for "ag preservation" and things will pop right up in Vermont, in the state of Washington. Those are a couple that have been very successful. (2) Thanks for listening.

Mr. Habig invited Mrs. Harger when the board takes that up as an ordinance feel free to attend the meetings. (2) Thank you.

Ginger Davis, of the Hamilton County Soil and Water Conservation District, stated her name and employer for the record. I just wanted to commend the committee, the plan commission, Mrs. Meyer and Mrs. McKinley for all the great work on this. I think this is going to be a great document and really put forward some of the great natural resources and values that the community has. So thank you all for the work you guys have done on this.

With no one else stepping up to the podium and no further calls waiting... Mr. Habig advised

everyone that we will be meeting again in February and if you can get word out to your neighbors and everyone out there. Hopefully, maybe things will open up by February, but I really doubt it. We will probably be limited again on how many people can attend.

Mr. Heirbrandt stated that he always tells his kids... "There are a lot of things that I can do for you, but I can't read your mind and as long as you communicate with me and tell me what you need and I'll do my best to help." That applies right here too. Please... any questions that anybody has at all please reach out to us so we can try to address it.

Mr. Culp stated that in addition to the verbal comments the board received a number of written comments which were passed out to the board before the meeting and they were given an opportunity to review and that process will continue next month as well.

Tim Clark returned to the podium. I couldn't hear everything you said. I don't know if it was pointed out that the first people here get the seats and the rest don't get to come in. If people want to come to the next meeting, we have nine members on the board, and I think six of them are here right now. There was a limit of 25 in the room. If you are coming in you need to come early.

I wanted to encourage everyone on the board if you can go to the planning meetings put on by Ball State and Purdue... they have really good information. A lot of things that you thought you understood aren't what you think. The other really good thing points was to the 10 acre rule. I know at some point we have to change but everybody thinks housing is a great idea and actually they said it was a bad idea. A really nice house pays \$ 5,000.00 in taxes and this number is several years old. It used to take \$ 12,000.00 or \$ 14,000.00 to send one child to school for one year. So a really nice house doesn't pay for one child to go to school. They used to send out a little post card telling you what the taxes went to. Schools were taking 86 % percent of your property tax. Businesses are good. Houses are bad. Thank you.

Corrie Meyer: We're going to provide hard copies of the plan. The plan itself is 100 pages. And then the appendix, with the notes that Mrs. Burdett shared with me last week, is close to 500 pages. When we deliver the hard copies would you like hard copies of the entire document and the appendix or just the meat of the document?

Mrs. Burdett stated that she and Mr. Kiphart had discussed the appendix. He said he would like to see that whittled down a lot. He has some recommendations for what he would like to see in the appendix. He doesn't feel that everything that is in there right now needs to be in there.

Corrie Meyer: We'll do that then.

Mr. Habig stated that they would review that and get back to her.

With no one else from the public stepping forward and no other calls waiting... Mr. Habig announced that the board will leave this meeting open because we will be back in February. That meeting is February 17, 2021.

Mr. Culp suggested that they should formally table this and then un-table it at the February meeting.

Mr. Heirbrandt made a motion to table.

Mr. Galloway seconded.

With no further comments... Mr. Habig called for the vote. **6 yes votes... 0 no votes.**

Director's Report: Mrs. Burdett advised the board that she submitted a request to council for an additional appropriation of \$ 8,000.00. Last year because of Covid I had to cancel my trip to California. My ticket voucher is about to expire. Unfortunately, Mr. Kiphart has been unable to approve my vacation because it is 3 ½ months out and he doesn't know what he's going to be doing. I talked to my co-worker and he said he could probably be here for part of the time but maybe not the whole time. I don't think I should be denied vacation because we have an office of three.

I went to Human Resources and said... this is the situation. Sheena Randall suggested that I contact a staffing agency to find out how much it was going to cost to be able to get me covered so I knew I could take vacation.

I talked to Mr. Kiphart and explained all this out to him. I called professional staffing and they are asking for \$ 26.92 per hour to cover me for someone to answer the phone.

I discussed this with someone else in the building and she suggested that maybe what we do is request that council give me back my part-time line item and then for \$ 3,000.00 the county could pay a former employee \$ 15.00 per hour rather than going to \$ 26.00. So that is what I requested. To put \$ 3,000.00 in the part-time line item to cover me when other staff is not available.

The other \$ 5,000.00 is because of our building inspector. He needed to raise his fees. If you remember... last year May everyone agreed to give him a \$ 25.00 per inspection raise which was fine until we found out that the county was going to require specific insurance guidelines for any vendor that's working with the county. If you don't meet these, eventually there is a chance that we will lose our inspector, and this is the best inspector we've had since I've been here.

So I requested \$ 5,000.00 additional to be put in professional services so we can give him the increase he needs. I know one insurance alone that he has to get because of our requirements is going to cost him \$ 1,900.00. We were told to just go ahead and make it so that he could pass the cost on to the county for the inspections.

I have been in contact with Sheena Randall regarding both of these projects. I have also been in contact with Steve Schwartz regarding both of these because he is our council liaison. He said it was fine with him and to talk to Sheena Randall and as long as I had her approval go for it.

So I submitted the paperwork. Mr. Kiphart is aware of this and I go before council the first Wednesday in February. I really do feel that this is in the best interest of our office for both of these items to happen, but I do need your permission. So I will need a motion, a second and a vote to be able to go through with this. Thank you.

Mr. Heirbrandt stated that he agreed especially with the insurance requirements that have been passed on to the county from the insurance agents. They're trying to do this in all 92 counties. I make a motion to approve the request.

Mr. Clover seconded.

With no further comments... Mr. Habig called for the vote. **6 yes votes... 0 no votes.**

Legal Counsel Report: Mr. Culp stated that the only thing he had tonight was his legal contract. It is identical to past years except it reflects the fee increase that was approved during the budget.

Mrs. Burdett added... and the dates.

Mr. Habig asked for a motion to carry Mr. Culp on for another year.

Mr. Galloway moved that we do that.

Mr. Ward seconded.

With no further comments... Mr. Habig called for the vote. **6 yes votes... 0 no votes.** Mr. Culp, thank you very much for your hard work.

With no further business to come before the board... Mr. Habig adjourned the meeting at 8:51 p.m.

Minutes approved February 17, 2021 by a vote of 6 yes... 0 no.:

*Diane Crim
Frank Habig, III
Jim Galloway*

*Kent Ward
Mark Heirbrandt
Tom Clover*

Linda Burdett, Secretary