

FRANKLIN COUNTY AREA PLAN COMMISSION
MEMORANDUM & MINUTES
COMMISSIONERS/COUNCIL PUBLIC MEETING ROOM, 203
APRIL 14,2021 @ 7:00 pm

Those present: Ruthie Mannix, President; Robert Braun, Vice-President; Ed Derickson, Connie Rosenberger, Rob Seig, Christine Rains, Emily Ruffier. Also present were Tammy Davis, Commission Attorney; Cindy Orschell, Director; and Glenn Bailey, Recording Secretary

Pledge of Allegiance

Roll Call

Minutes of March 10, 2021- Ruthie Mannix asked if there were any additions/corrections to the minutes, if not for a motion to accept. No additions/corrections were mentioned, but Ed Derickson suggested the reading of changes made in the March meeting concerning the Solar Energy discussion. After Ed Derickson read those to the public, MOTION - Rob Seig made a motion to accept the March 10, 2021 minutes and Bob Braun 2nd it. AIF

Unfinished Business- Ruthie Mannix made note of the Noise Complaint from last summer and asked for comments. Marty Brunner, who had filed the complaint, spoke at length about his concerns. His first point was that when he moved to Moorman Road in 1993 the Sawmill was very small and has grown to be much larger, which led to his second point which is that it shouldn't be zoned agriculture because it is now a big business. It is in the business of now selling many products. Thirdly, his house is 1600' away from the site and the noise level is at 85 decibels when grinding which is very loud and obnoxious. It used to be a quiet place to live but not anymore. Fourth, the grinding is a nuisance and the county has a law against it. Lastly, the grinding should be done in a building or behind a barrier to deaden the noise. Rob Seig asked if Marty Brunner had a video of the noise level. He said no he didn't make one. At this point, Ruthie Mannix asked if anyone was there to represent Lecher Sawmill. Amber McMillin Orozco stated she is there on behalf of Lecher Sawmill. The agriculture business started in 1988 and tries to stay efficient and profitable. They use to burn what they now grind. They follow the Indiana Hardwood Strategy overall, of which grinding mulch is one of them. Quite a few employees work for Lecher and jobs are a vital part of Franklin County economy. While grinding is loud, it only occurs about 80 hours a year, during business hours, and this year a new more efficient grinder was used. They have a video that never gets above 74 decibels, and stays mostly in the 69-70 range. Frank Lecher walks to each Commission member showing the video with audio sound. It was made at the Lechers north property line/Brunner south property line. Amber asks if those on zoom want a copy and Cindy Orschell replies yes "for the record". Frank and Rob Seig then look on a GIS map to pinpoint the location. Amber then reiterates the Sawmill is very efficient, that quite a few jobs depend on the business versus one complaint. Ruthie Mannix asks about possible solutions such as grinding inside a building. Lechers say that is too expensive. Rob Seig then inquiries about buffers such as trees acting as a sound barrier. Bob Braun sees no real solution as even when trees are full of leaves it doesn't deaden the sound. Ruthie Mannix ask Frank how many days they grind? Frank says it started March 2, 2021 and ended March 22, 2021 with 10 days down for equipment failure. So, 10 days of grinding, 8:30-5:00 with one day a little longer. Marty Brunner then goes over some of the same points he made earlier, he first complained 10 years ago, grinding use to go on 1 month or more from 7:30am-9:30pm., it isn't reasonable it is more business than agriculture and it effects his home value. Should be in an Industrial Zone. Ruthie Mannix stops Marty there as being off topic. Ruthie Mannix says let's focus on Noise Level and see if we can come up with a comprise. Can Lechers investigate a building and see what other similar businesses do about this issue? Amber says we can investigate. Bob Braun suggests

getting some type of engineer to help address the noise level buffers. Rob Seig says to look at sound barriers and that it is not the job of APC to solve this. Ruthie Mannix and Bob Braun say it is only a suggestion, not an order.

Ed Derickson asks who the contractor is that does the grinding and where are they from. Frank Lecher says Cincinnati, Ohio. Ed Derickson they are the ones that need to mitigate the problem, see what they do at other places. If the complaint files with Indiana State as opposed to the county someone will investigate the matter.

Amber then asks if there is anything else and thanks the Commission for their time. Ruthie Mannix asks if the Commission wants to resolve the issue tonight, she states to Lecher to please look into sound mitigation, grinding is too loud, have some plans moving forward, notify Mr. Brunner the next time well in advance. Ed Derickson and Ruthie Mannix both agree to talk with the grinding company. Amber says they looked into that last year and that is how they got quieter and more efficient. At this point Ruthie Mannix asked if anyone else had anything to add.

Two gentlemen speak, both live in the area and say while they can see the sawmill, they don't hear the noise in their house. Ed Derickson speaks of 80 decibels and his past employment experiences with holding contractors responsible. Keith Lecher says he thinks the noise level depends on the wind. If I put up a curtain for \$20,000. and it doesn't help, then what? Bob Braun says to continue until next month. Amber says they will investigate and get with Cindy Orschell ASAP.

Proposed change to ordinance - Ruthie Mannix asks Rob Seig about a draft he sent to the Commission regarding drain water and subdivision ordinances. Rob Seig stated he looked at other counties and believes Franklin County needs to update some ordinances. Ruthie Mannix says to put it on next month agenda. Sara Duffy asks for a copy of the draft to be sent to her. Tammy Davis says to get a copy to Sara.

Violation Report- Cindy Orschell - Whipple and Matthews waiting on default judgement.

Tammy Davis proposed

Rob Seig - proposed changes to land division for Franklin County Zoning problems as some counties have problems with our codes. Rob Seig will introduce draft ordinances in May. Ruthie Mannix asked if there was anything else for tonight, if not she will entertain a motion to adjourn.

Adjournment- MOTION - Bob Braun made a motion to adjourn, Rob Seig 2nd AIF Meeting adjourned at 8:13pm.

Ruthie Mannix, President

Glenn Bailey, Recording Secretary