

Decatur County Board of Zoning Appeals Minutes
Decatur County Courthouse
150 Courthouse Square
Meeting Room

The regular scheduled meeting of the Decatur County Board of Zoning Appeals was convened at 7:00 p.m. on Wednesday, January 4, 2023 at the Decatur County Courthouse. The meeting was called to order by Brad Schutte. All 5 board members were present. Also attending the meeting was Melissa Scholl – BZA Attorney, Krista Duvall – Decatur County Area Plan Director and Debbie Martin – Administrative Assistant.

Brad Schutte opened the meeting and read the following; *To comply with Title VI of the Civil Rights Act of 1964, Decatur County requests that participants in this meeting complete a voluntary, anonymous survey that is available on the table in the back of the room.* Then he turned the meeting over to Melissa Scholl for the Election of Officers for 2023.

*** Election of 2023 Officers**

Melissa Scholl opened the floor for nominations of the following:

President: Joyce Brindley nominated Brad Schutte; Rick Hoeing seconded.

Vice-President: Joyce Brindley nominated Gary Fischer; Janey Livingston seconded.

Secretary: Brad Schutte nominated Rick Hoeing; Joyce Brindley seconded.

With no other nominations from the floor the nominations were closed and a vote was taken for each office and all members present voted unanimously in favor of the nominations.

***Approval of minutes: November 2, 2022:** Joyce Brindley made a motion to accept the minutes as mailed, Janey Livingston seconded the motion with all members present voting yes.

*** BZA Petition 2023-1 – David Culeton - REVLNG and Hulsbosch Farm LLC** will present **BZA Petition 2023-1** requesting a “**Special Exception**” in an A-1 zoning classification to build an Anaerobic Digester on this property. This request falls under Decatur County **Ordinance #925**. The property is currently owned by Hulsbosch Farm LLC and is located Just East and North of 6810 W CR 700 S, Greensburg in **Jackson Township**.

Wim Hulsbosch: we have been interested in a digester for quite some time and we see a lot of advantages in it. In our research and trying to find someone to partner up with and to put this in place and in action, we came across REV LNG. What struck us most is to be able to actually go and see other digester sites on other farms, we could talk to the farmers, see how they are being operated. There are multiple already running and more being built. We share the values and just the way we want to run and handle things at our farm and (inaudible) community. I just wanted to give you a little background on how we came across them and that we see them as a very valued partner.

Eric Kessler: REV LNG, I have been with them for 7 years and am the Vice-President of Business Development and created this model with a company that has a decade or better working with liquid natural gas, compressed natural gas, and with utilities. We look at this as an opportunity for sustainability for ag and reducing the environmental foot print for the community and sustainability for long term, out decades. When we researched this, we looked at the total picture of what we

were bringing, it wasn't just a digester, it was really a cornerstone of the existing manure management system that we have today. If it is ok with you, I would describe the process of what they are doing today versus what we are proposing to do. We are headquartered in Victor, NY, with Operations Center based in Ulysses, Pennsylvania. To put yourself at our headquarters, it would look much like you your township here. I grew up on a dairy farm and we are also in Ulysses Pennsylvania and we have partnered with utilities, DTE being the first partner that we developed 10 farms in Wisconsin. On those ten farms they have digesters and they have renewable natural gas that offsets the cost of those digesters. It has helped the Wisconsin farms with their sustainability, the digesters there, they use bio solids as their bedding versus the Hulsbosch farm uses sand. They also have major concerns about water quality, the digester will reduce the pathogens by about 95 percent because you are putting manure in a process that heats it up to 120 degrees for 18 days. You will see South Jersey here, that is our funding partner for REV LNG, our funding partner differentiates from many other developers out there because we will be the operators that you will see day to day. The cash that comes into this project isn't grant money, it is not conventional capital for long, it is actually all up-front capital. When we come to the table with a plan it is all pre-paid and ready to go. There are 10 projects that have been up and running in Wisconsin, operating and putting renewable gas in the pipeline for two years now, successfully. At the Technical Review Committee they asked for a reference. So I thought the best reference was Chairman of the Board of the same committee that you guys are on in the town of (inaudible) so I forwarded that reference for them to talk to directly. Again, I think it is important to know that we are the ones that will be there trucking the gas to town (inaudible) that is it going to be operating in. **Brad;** when you say injecting, you are speaking of injecting into the pipeline, correct? **Eric;** correct. **Brad;** just trying to clarify, I am fairly familiar but the rest of the board may not be, just making sure that you guys understand. **Janey;** so it goes on a truck first and then transported how far? **Eric;** yes, it will be about 25 miles (inaudible)...right outside of Shelbyville. **Eric;** Marietta has a compression station, I personally have (inaudible) sent a real estate agent to look at the properties of the injection site. The farms were very pro ag in that area and we wanted to pick the right piece of land that fit for the application that we are actually using it for, so we would be building this injection site right over the top of it, the trucks will be filled at Hulsbosch family farm with clean pipeline quality gas. That is the same quality that you would use in your kitchen to put your stove on or your dryer. That would be hauled out to the area and be loaded to the pipeline. The overhead photo will show what we are talking about. Number one will show their dairy farm, they scrap the manure into a floom that carries the manure to outdoor (inaudible) where you see the sand separation facility, the separation facility will be put in and it will take the sand that they use to bed their cows, instead of having to go get fresh sand from the quarry, lets estimate 500 truckloads a year, it will be recycled, it will be separated out of the manure and put back under the cows, that is a self-sustaining sand separation facility. It benefits the project because we don't want the sand to get into the digester. Then the digesters will be in line, as you can see, the long-term storage it goes directly to now, it would go directly to that long term storage, instead of going directly through that it would go into the digester.

When it goes into the digester, it will be in there approximately 18 days and heated to 100 degrees. The benefit is that at 100 degrees, the same bugs that are in that long term storage, produced organically will be in that vessel. Those bugs defecate methane, the same as they are now in the long-term storage, we will capture that methane and move it to those facilities, then we will transfer it to the scrubber, it cleans the gas. When we clean it, it is now coming out into the truck. The truck itself is because there is no pipeline for them to direct inject. That truck takes clean gas to the pipeline at the compression station, it will then be put into a vehicle that used to use gasoline or diesel. That is kind of the big picture of the process. To me the benefits to the community immediately are safety and trucks off the road. 500 which are coming in with sand from a quarry, also that quarry is not using that natural resource and taking sand from the earth, and those 500 loads will not be put on soil that may not need it. There are 1000 trucks there. They are also

advanced because some farms that we deal with in Wisconsin truck all of the manure. The Hulsboschs' have shared with me that their manure is mostly dragline and pipe. Only 30% of it is hauled. Out of the 30%, about 16% of that viable will be reduced as well because the bugs will eat that fiber and bio solids when it is in the digester. That will get trucks off the road immediately and the number of trucks that are taken with the manure. Another benefit is, when that manure goes to that long term storage, you have a 95% pathogen kill. That is E. coli and blue baby syndrome. It is something that is prevalent with cows, it will also reduce Johnes disease as well. Digested manure produces less odor during field application than raw manure or manure that is anaerobically digesting in lagoons. When we look at, not only the community benefits but the state, country and global benefits. It is really about partnering with a farm for us that we look at as a winner. We do that through the University of Michigan and Cornell University. There are other co-ops, or other sources of producers that have picked the winners and the losers have taken advantage of infrastructure and are prepared to do what we are doing here, not every farm is prepared to do this. Once would be a succession plan and the second would be that they are up to spec with their manure management practices as of today. Some farms are just scraping out of their barn directly into an earth covered lagoon. That would be really hard for us (inaudible) to capture the manure. The sand separation facility may ask who has control over that and we debated that for a long time, we have a real definitive line of who is responsible for what. The sand separation facility will be a farms responsibility, farm permitted and built under guidance from us where there is 120 in operation today. So everything that you see here has been done before, in the hundreds in Europe and here in the 20's and 30's. We have 30 projects being built today on top of the ten that have been running for two years under our operation continuously. **Brad;** will that extractor be a screw extractor? Is that your plan as farm as your sand extraction? **Eric;** when we say extraction, there are a couple of things that we are extracting, which product? **Brad;** are you going to do an overfall filter first for solids and then do the screw extractor for sand? **Eric;** that is a great question, I don't have that slide up, the sand separation now, is not mechanical separation, we are using gravity and it kind of looks like a lazy river. That lazy river goes slow and what happens is, sand is heavier than water and the sand falls to the bottom. They go in with a pay loader and lift it out, put it on the side in a pile and then it leaches out and back into that (inaudible). Now it will go into the sand separation facility and what's nice is we take the manure and we reduce water consumption because we take that manure and we separate it. You get a liquid and you get a solid. The solid will go from the digester, the liquid will go back into a reception tank to clean the sand and to charge the flume that will carry the manure from the back side of the barn that they are scraping. We will use a sustainable product, separate the manure to clean the sand and also to make the manure flow to the sand building. That will be done with slope screens and (inaudible) sand separation. You have augers and shakers that de-water and clean that. Now it will be all automated and that is a real advantage because when we build that sand facility, or any of these facilities, the infrastructure is there long term and the components as technology changes can be changed in and out. Any of the augers, the cannons, the shakers and the cleaners can be fully exchanged. The Hulsbosch', as they run their dairy, they do a lot of preventative maintenance that you can see, it is clean and the equipment looks very maintained, if not new. Not all farms look that way, you have a new dairy and two years later they look 20 years old. This sand facility, when they build it, they will have a maintenance agreement, that will be with us (inaudible) have cooperated with the number one sand separation design and manufacturer in operating, Comeral, they will help operate and maintain. They will check in on a six month basis and train their employees, who self-perform, they will be able to supervise and oversee. **Rick;** so the sand separator will be responsible solely at the farm, at the point of exit of that facility and then you take over and process the manure at that point. What percent of the 500 truck a year, that's a good number, right, that you could eliminate off **Eric;** I would say would be 1000. **Rick;** just looking at the sand, what percent of that will be recycled? Does that 500 go to one, does it go up to 400? **Eric;** the 500 should be eliminated based on our collection system, we want to get 98% of sand recover and right now they have 500 trucks coming

in with fresh sand every year that we believe would be eliminated and 500 trucks of sand that would be in that lagoon going on the land. Plus another, conservatively, 15% of that 30% will be eaten by bugs. This system is just an in-line process to what they are already doing. We are not doing anything new other than defining the practice that is already being done very well. **Janey;** there is stuff leftover, I don't know how to say this. In the big long term manure storage, is there stuff left in there? **Eric;** it is being pushed into a pipe and delivered to the sand room, the sand room is mechanically taking the sand out of the manure, the sand comes back to put under the cows and what is left over goes into this tank (referencing overhead projector) and this tank as well, then to his holding area until the Hulsbosch, with their permits and nutrient management plan, it goes to (inaudible). **Janey;** that is what I want. Is there less odor also? **Eric;** yes, significantly. **Janey;** if you are building the receptacle out by Marietta, where you are going to put this gas, you are putting something in there that you will be able to download that gas there, correct? So, if in the future another dairy farm would come along, you are already set up and ready to go, is that the hope, that we get a lot more of these? **Eric;** right now this will be a cornerstone to small farms that can access because the Hulsbosch initiative to find us, not only find us but to take the capital intensity of this project. (Referencing the overhead slides) Eric showed what the project would look like in Marietta and explained the process. **Rick;** how many trucks a day of gas, what is the production rate on gas. **Eric;** it will be 1 trailer every 24 hours, we will have 365 trucks a year. **Joyce;** I've noticed that it is very well put together there, there is hardly any bad things that I could say about it except, there are a lot of truckloads of manure being put on a lot of those fields down there. I don't live close to it, I live in Westport, but in the summer time I see there are trucks up and down these roads constantly. Is this going to back that off to where I won't see all of that? It doesn't matter that I see it but I wonder about what the neighbors think of that who are sitting there watching this all day long. **Eric;** (referencing the overhead slides) it will reduce the trucks over 1000 truckloads a year. **Joyce;** thank you, it ruins the roads, we can't help it, but I really appreciate what they do, they employ a lot of folks down there. **Eric;** so what you are saying is, one of the initial benefits you will see immediately with the community, I always like to go back to the community in Marietta, to the neighbors there and they want to protect the sustainability of agriculture, they like the concept and this is sustainability for everyone to win. The first people to win are the neighbors. The odor and truck reduction are the number one things that will happen. Also, the pathogen kill of that manure is a real benefit, it is really important, when they put that manure on the crop, the crop will be able to take almost 70% more of the nutrients than it did before, which before it was able to leach and go other places, now the crops use those nutrients. That is a real big advantage. **Joyce;** as a town, we have had problems with water and a lot of farms down there get excess water from up in this area (referencing overhead slides) and anything that would help that would be beneficial to Westport. **Eric;** I think your questions is well taken and very pointed and the benefit is significant. With the manure being in the digester for that length of time is kills more weed seeds reducing the pesticides that you have to use on your land. The benefits are significant on every stakeholder level. **Janey;** how long does it take to build this? **Eric;** we would like to start in the spring and have gas and sand recovery by mid-summer. The photos behind you, where that truck traffic will be taken off of the road is here on 700 W. The one thing that the Technical Committee asked was that we have a separate drive from the dairy access. The yellow indicates one of the requests and modifications, we have a fence that separates us from any truck coming from the dairy onto this drive. You can pull a tractor trailer in this drive and it will be fully off of the road. Also, they requested that our apron be big enough so that a truck can exit without crossing the yellow line and has good visualization from 7 feet high, where a car may have a visual impediment. This eliminates all of the hazards of the ag trucks coming out and all the traffic here that they have on a daily operation. Very isolated to our own driveway and operations. Manure, this is one thing that is very important, we are like a lot of other companies but probably more dis-like. I'll tell you why we are dis-like, the only manure that will go into those new vessels is from these barns. There will never be additional trucks coming in here from another location with any other product that will go in the

digester. Just from Hulsbosch. **Gary**; on that vein Eric, the scalability of this project along with the scalability of the farm, will they continue to match each other, if required? **Eric**; we are in excess of 20% with the equipment that we put in now, of what (inaudible) we need to be and if there was ever to be an expansion, we could put other vessels in and we have the ability to manage that process. We plan for the future. When we look to the future these digesters, what comes out of them, manure is not like a food grade molasses or ethanol or a product we are used to, it is very non-binary. All that means is it changes all the time, the percent of solids or bio-solids based on the farm's practices and the cow diet, how much urine, feces and water is adding to the sand. They can now have a product that comes out of the digester that is going to the long term storage at a constant (inaudible) and a constant temperature, so long term this is very nice for the next generation to be able to actually concentrate the minerals, fertilizer and all the nutrients that will go on a field. You will be able to keep the carbon, you are releasing a lot of carbon in your field. Every time you till, the carbon that was put in there from the plants eating carbon, photosynthesis is being released, so the end game here is to do less tilling and have a condensed form of fertilizer. This allows them to be positioned, just like they did today, knowing or not knowing, to have the advantage of having a digester will be position them in the community, ready for future regulations and future challenges. That is really what this is all about, is being positioned to be with a lead in agricultural practices of the future. It is really, like my partners Steve and Dave here, they are engineers and have very specialized backgrounds, in ten years what will we think about when we look at this? It will be the sustainability of the agricultural state of manure. The communities that are embracing it, everyone who has a touch point to the dairy, wins, in proportion of what they contribute. **Rick**; obviously Marietta is not in Decatur County, I would assume there will be some sort of an approval process for installation there, in the event that that was not approved, is there a secondary contingency plan of where this gas would go? **Eric**; that's what makes it very different from other companies, our core business is virtual pipeline, (referencing overhead slides) the virtual pipeline is that truck right there. We can take it into other injection points if we have to. We try to do everything in threes so it keeps everyone honest, there are two backup plans for that, we just spoke with them today and they were very... what I like to see is they knew and want us to present to their town, the benefits that are happening in this town. They realize that the water is connected, the air is connected and they are pro-ag. I sat there and was very proud of their insight, it wasn't just about their community. Their community, this gas will increase their volume of our future need in this area for gas. **Gary**; there is an ethanol plant up there that uses quite a bit of natural gas every day. **Brad**; we have a statement from the Technical Review Committee, Krista will read it. **Krista**; To the Board of Zoning Appeals: In regards to the REVLNG LLC/Hulsbosch Farms, Petition 2023-1 for an Anaerobic Digester to be located on W County Road 700 S, Greensburg, Indiana in Jackson Township. We have met multiple times with REVLNG LLC and The Hulsbosch and had many question and answer sessions. We, the Technical Review Committee, are making a favorable recommendation with conditions:

- The proposed driveway off of W. County Road 700 S. shall be used for the Digester only, no farm traffic.
- The proposed driveway shall be constructed so that trucks may enter and exit the facility safely – approved by the Highway Superintendent and the Area Plan Director.
- Local Emergency Personnel shall receive annual continuing education on safety procedures, provided by REVLNG LLC.
- The Digester will process waste produced on site only.
- The Anaerobic Digester will be surrounded by barriers, concrete and/or chain link fencing.

Committee Members: Tim Ortman, Dorene Greiwe, Krista Duvall, Andy Scholle, Matt Morrow, Abby Johnson, Nathan Stoermer and Brad Speer.

Brad; I think that you have pretty well covered all of those in your presentation. **Eric**; the one thing they asked is Center Points actual mapping, I have that and will show you there the supply route. That is available. **Brad**; so you have met with Center Point? **Eric**; we did and I actually have the map to where they are proposing and their detailed plans. **Brad**; that will actually be a benefit for the neighborhood as well. (inaudible discussion). It was a question that I know did come up but I think it was just for curiosity sake as much as anything. **Eric**; they take the most favorable route. I went through their options and thought they were very logical in how they decided the option that they did. We are willing to share that with you. Thank you very much for the time.

Gary Fischer made a motion to vote on BZA 2023-1, with the Technical Review Committee recommendations; Janey Livingston seconded the motion with all 5 members present voting yes.

Brad; your special exception is approved, thank you for a very professional presentation and working with the Technical Review Committee the way you guys did.

Eric; our commitment is to get better every time that you have an interaction with us and if not, please reach out and call. Thank you for your time. There are, I think 2 things, one, we have out buildings, is it this committee that does a building permit? **Krista**; we do in our office. We will review it and guide you through the process. **Eric**; second, the site plan approval. **Krista**; same, we will take care of that also, and a drainage plan approval will come through our office. **Brad**; our county standards are readily available. **Eric**; and as for the timing of that, what should we anticipate? **Krista**; the Stormwater Drainage Review takes the longest but we turn it around as quickly as we can. There are a lot of things required, a lot of stats and I have assistance in reviewing those. That takes the longest but everything else we can turn around in 48-72 hours. Providing we don't have any additional questions. **Joyce**; I just had the stormwater study done so if that would help you to see that, I think we turned it in to the county. **Eric**; that would help to see the format. Thank you very much, we appreciate the time and help and appreciate being guests to the community.

Joyce Brindley made a motion to adjourn the meeting at 7:48 p.m.; Janey Livingston seconded the motion.

Decatur County Board of Zoning Appeal

Secretary, Rick Hoeing

Decatur County Area Plan Commission

ATTEST:

Brad Schutte, President Decatur County Board of Zoning Appeals