

**MINUTES**  
**CASS COUNTY PLAN COMMISSION**  
**Tuesday January 5, 2021**

Josh LeDonne, Vice President, called the regular meeting of the Cass County Plan Commission to order at 8:30 AM in the Commissioners Hearing Room on the 2<sup>nd</sup> floor of the Cass County Government Building.

**ROLL CALL:**

Members present: Jon Guy, Fred Seehase, Gary Berkshire, Jim Donato, Josh LeDonne, Brian Reed and Ruth Baker

Member absent: Krista Pullen, Stacy Odom

Staff present: Arin Shaver, Ralph Koppe, Eric Servin, Jeff Stanton, Attorney and Peggy Dillon, Recording Secretary

Public in attendance: See sign in sheet

**ELECTION OF OFFICERS:**

Mr. LeDonne motioned to retain the current slate of officers. Motion was seconded by Fred Seehase and all were in favor. The slate of officers will be: President, Stacy Odom; Vice President, Josh LeDonne; Secretary, Krista Pullen.

**NEW MEMBER:**

Mr. LeDonne welcomed new member from the Commissioners membership, Ruth Baker.

**ACTION ON MINUTES:**

Minutes of December 1, 2020 were presented. Mr. Seehase motioned to approve as presented. Mr. Reed seconded the motion and all were in favor.

**PUBLIC HEARING:**

None

**REPORTS:**     4<sup>TH</sup> Quarter Improvement Location Permits  
                  4<sup>th</sup> Quarter Financial Report

Mrs. Shaver presented both reports, there were no questions asked.

**OLD BUSINESS: Unsafe Properties**

*1411 US 35 N.: Buildings need to be demolished*

Mr. Koppe presented pictures of the property and explained:

- Random pieces of sheet metal were put on the roof; there was no structure installed
- An email was sent from the owner explaining what he was going to do, but they did not talk
- The structure has been open to the weather for over a year
- The windows are covered with interior material and would not keep people out

Mrs. Shaver explained that the owner is the manager of multiple properties and gave the following information:

- There was no staff discussion with the owner
- There have been people interested in buying the property; their bids have been rejected by the owner
- The unsafe property includes 3 acres and 2 burnt structures; total of 15+ acres
- Temporary fixes have occurred
- Initially ownership has switched hands but staff didn't know that the owners are within the same management group

Mr. Stanton, County Attorney, opened the bids that have been received:

1. Indiana Earth Inc.; \$139,300
2. Aulbaugh Construction: \$28,400
3. Handy Excavating: \$44,000
4. Merritt & Sons Excavating; \$32,000
5. Shroyer Brothers Inc.; \$57,500

Mr. Stanton's recommendation to the Board is to take these bids under advisement and report back at the next meeting, February 2, 2021.

Mrs. Shaver explained that fines of \$5,000 have been assessed; during assessment there were 2 owners, thus each are fined \$5,000..

Mr. Donato asked if this Board can act on these fines and Mrs. Shaver stated that she understands yes we can.

Mr. Koppe re-stated that the metal on the roof is not structurally sound.

Mr. Pollard, property manager, stated the cement board on the windows is water proof and is secure and the roof is sound because the roofers were walking on it.

Mrs. Shaver asked Mr. Pollard how much he would sell the property for and he stated he would sell all acreage for \$100,000.

Mr. Donato stated that this Board needs a time line as to when the demolition would eventually happen.

Mrs. Shaver asked what was done with the insurance money after the fire. Mr. Pollard stated that the remaining structures were secured and the kitchen that was destroyed was demolished.

Mr. Seehase asked for questions from the Board or the public, there were none.

Mr. Seehase motioned to take the bids under consideration and to continue this discussion at the next meeting on February 2, 2021. Mr. Berkshire seconded the motion and all were in favor.

*1474 W. Sadler Hill – Roberts: house burned*

Mr. Koppe showed pictures and stated that the property has been cleaned up; snow fencing is installed; staff recommends that this case be removed from the unsafe property list; keep a watch on it and remove all fines. Mr. Reed made a motion to approve staff recommendations. Mr. Seehase seconded the motion and all were in favor.

*2268 W. Gleitze Dr. – Smith; Junk / 2 unsafe houses*

Mr. Koppe stated that both houses have been secured but there are a lot of structural problems on the white house and needs to be torn down. Mr. Koppe stated that staff recommends giving them another 60 days to tear down the white house; remove the green house from the unsafe property list.

Mrs. Shaver stated there is a possible \$3,000 fine at this time.

Mr. Reed motioned to re-inspect on February 24, 2021 and bring to the March 2, 2021 meeting; keep the fine but don't assess it.

Mr. Guy seconded the motion and all were in favor.

*271 W. SR 16 – Lopez; Roof damage; not secure*

Mr. Koppe reported that the roof is repaired; the property is totally secured and Mr. Lopez is working on the inside. Staff recommends removing this case from the unsafe property list; keep a watch on it and remove the fines.

Mr. Reed motioned to approve staff recommendations. Mr. Donato seconded the motion and all were in favor.

*2301 E. Wabash River Rd. – Almon: garage needs new rafter; roof of house needs repaired*

Mr. Koppe reported Mr. Almon had 60 days to finish roof repair, nothing has been done. Mr. Koppe reported that the roof is not done and the tarp is falling in; Staff recommends to assess the \$2,000 fine and re-inspect February 24, 2021 and bring to the March 2, 2021 meeting.

Mike Almon, 2022 High St. stated that the roof on the house has been replaced, completed; the garage has structural posts and beam replaced on the inside; no danger now. Mr. Almon stated that he has received an email on 10/21/2020 from Dan Musselman, Health Dept. Inspector stating that the tarp on the garage will satisfy him until Spring. Mr. Almon explained that he understood that he had until Spring to finish this property; he has posted 2 signs stating the garage is unsafe. Mr. Almon stated that he does intend to fix the roof and asked for 90 days to complete the project due to the weather.

Mrs. Shaver explained that our process requires action within 60 days; this can be brought forward in March and then extended another 60 days.

Mr. LeDonne asked for further questions from the Board, there were none.

Mr. Donato motioned re-inspect on February 24<sup>th</sup> and bring forward to the March 2, 2021 meeting.

Mr. Berkshire seconded the motion and all were in favor.

*5002 W. 50 S. – Ortman; Structure falling down; debris on the property*

Mr. Koppe explained that the property is totally cleaned up and the front is gated to keep intruders out.

Mr. Donato motioned to remove this from the unsafe property list. Mr. Guy seconded the motion and all were in favor.

9725 Church Street - Emmons: Poison ivy surrounding house/ roof rotted

Mrs. Shaver explained that staff needs to check for the correct address due to the system not matching up with the property that staff was inspecting. No action is needed at this time.

Bylaws Amendment:

Mrs. Shaver reviewed what this Board discussed as a possible amendment to the Bylaws:

- When a rezone is proposed by a government entity, and the area is 640 ft. or less – All adjoining and adjacent property owners and those within 300 ft. would be notified
- Is 300 ft. enough
- Should requirements for government entities and private rezones be the same
- Mrs. Shaver had investigated requirements of surrounding counties and most of them have adopted State requirements which include within a 1/8<sup>th</sup> of a mile; or within 2 properties; whichever is less
- This Board could use the State requirements but change whichever is less to whichever is greater

A discussion followed. Mrs. Baker motioned to table this, continue the discussion at the next meeting, so she will have time to better understand the possible amendments. Mr. Reed seconded the motion and all were in favor.

NEW BUSINESS: None

FLOOR IS OPEN TO THE PUBLIC:

Georgetown Property:

Bill Ward, 2525 Pottawatomie Rd, reported on the property at 1586 Market St., Georgetown stating the following:

- The house and septic were condemned 5 years ago
- It is a junk yard
- 20 junk vehicles
- 50 – 100 tires
- Bringing cars in and pulling the motors to work on them; oil on the ground

Mr. Ward asked for the Boards help to clean up this property.

Mrs. Shaver stated that staff has sent letters and citations due to violations against the zoning ordinance. All letters and the citations are being ignored. The next step is taking the owner to court.

Mr. Musselman, Health Dept., stated that this house has been condemned for years, before he worked at the department.

Mrs. Shaver explained that the only final step for a zoning violation is to take the owner to court; this Board can clean up a property and put the cost on the property.

A discussion followed.

Mr. Musselman stated that he is waiting for a report from IDEM.

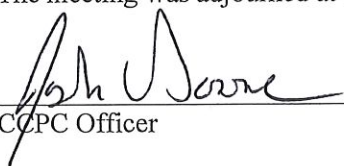
Mr. Guy motioned to continue with the zoning violation and to also start the unsafe property process. Mr. Reed seconded the motion and all were in favor.

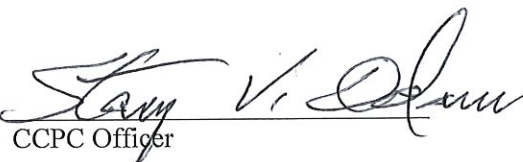
1411 US 35 – Pollard:

Mr. Musselman expressed concern of someone damaging the septic system, there may be an issue with putting a new system in the property.

ADJOURNMENT:

The meeting was adjourned at 10:04am January 5, 2021.

  
\_\_\_\_\_  
CCPC Officer

  
\_\_\_\_\_  
CCPC Officer

