

MINUTES
CASS COUNTY PLAN COMMISSION
Tuesday July 11, 2023

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

ROLL CALL:

Members present: Josh LeDonne, Gary Berkshire, Fred Seehase, Stacy Odom, Ruth Baker, Zach Dodt and Jim Donato

Member absent: Derek Pullen

Staff present: Arin Shaver, Ashley Rowe, Ralph Koppe, Jamey Harper and Legal counsel, Jeff Stanton

Staff absent: None

Public in attendance: See sign in sheet

Mr. LeDonne stated the Board needs to amend the agenda. We need to remove Krista Pullen from the Board as the secretary role she is no longer with us. We need to also add the Financial Report and the Quarterly Report.

Mr. Donato motioned to amend the agenda as presented. Mr. Berkshire seconded the motion; all were in favor.

Mr. LeDonne asked the Board if anyone would like to take over the secretary position on the Board. Mr. Seehase nominated Jim Donato, Mr. LeDonne seconded the nomination. All were in favor

ACTION ON MINUTES:

Minutes of June 6, 2023 were presented. Mr. Berkshire motioned to approve as presented. Mr. Dodt seconded the motion; all were in favor.

PUBLIC HEARING: None

REPORTS: Financial Report and Quarterly Report

Safe

2912 Green Hills Dr – Eidson

Mr. Koppe stated they had some cabinets and brush out in front. They did tell Mr. Koppe that they just inquired this property from their parents and they are cleaning up the property. The Board decided this property is safe.

4383 E Division Rd – Hart

Mr. Koppe stated with this property he is not sure what the complaint was on this property. Mr. Koppe stated there are some things that need to be done but it is not unsafe.

4993 E Division Rd – Samuels

Mr. Koppe stated this property is better than my property, Mr. Koppe doesn't see anything wrong with this property.

5758 W 400 S - Boughton

Mr. Koppe stated the only thing he has is a motorcycle frame and parts for a Blazer that he is putting together. This property Mr. Koppe doesn't consider unsafe.

OLD BUSINESS: Unsafe Property

1705 W Cliff Dr – Anderson

Mr. Koppe stated this property has everything behind his make shift fence and you can't see anything from the road. He has done a great job. Mrs. Shaver stated that Mr. Anderson did go to the Logansport Board of Zoning Appeals and got approval. He has stipulations that he has to keep up with, he is allowed 5 decorative car pieces that is the max. Mr. Koppe stated that he thinks Mr. Anderson will be able to keep up with keeping it clean.

Mr. Dodt made a motion to remove 1705 W Cliff Dr. from our list. Mr. Berkshire seconded the motion; all were in favor.

106 Minor St – Madrigal

Mr. Koppe stated Mr. Madrigal has done a good job as far as cleanup. He had a big area that was full of stuff, he has done a great job of cleaning it up. Mr. Koppe stated we recommend this property be taken off our list.

Mr. Berkshire motioned to have this property taken off of our list. Mr. Seehase seconded the motion; all were in favor.

316 Lawn St – Henderson

Mr. Koppe stated this property he has done an amazing job with cleanup. Mr. Koppe stated that when we first did our initial contact he couldn't even see down the driveway. He still has a few things that he needs to do, there is a hot tub that is going away. Mr. Koppe recommends that we give him 60-days to finish up with cleanup, which would be the September 5th meeting, reinspect on August 30th.

Mr. Seehase motioned to give them 60-days to finish with cleanup, which would be the September 5th meeting, reinspect on August 30th. Mr. Berkshire seconded the motion; all were in favor.

5788 N SR 25 – MH Realty/Austin Lincoln & Courtney Gipson

Mr. Koppe stated this property has done a really good job with clean up, but they still have some to do. They have everything in individual piles and ready to haul things away. Mr. Koppe recommends we remove them from the list but put them on the Watch list and waive any fines.

Courtney Gipson, 5788 N SR 25. Miss Gipson stepped up to the microphone to speak for this property. Miss Gipson stated that all the scrap piles are gone, metal roofing by the shed is gone and 3 vehicles are gone.

Mr. Seehase motioned to accept that the Board take them off our list, put him on the watch list and waive any fines. Mr. Berkshire seconded the motion; all were in favor.

51 N 400 W – Musselman

Mr. Koppe stated Mr. Musselman had called Mr. Koppe he was a little irate. He didn't understand why we were still sending him letters. Mr. Koppe stated if you look at the pictures you will understand why, there is tremendous amounts of trash, cabinets, toilets, sinks. He has taken the large items out but he has left all of this junk, if we stop with it like this it will just stay the way it is. Mrs. Shaver stated she has talked to him and he doesn't understand what else the Board wants. Mrs. Shaver stated to him that we will be more specific on what needs cleaned up. Mrs. Shaver stated that she doesn't think that he understands that we want all of the junk cleaned up. Mr. Musselman stated that he's going to sell the property and they can clean up the rest. Mr. Musselman stated that when he goes back to the property he is going to work inside not on the outside of the property. Mr. Koppe stated that he had told Mr. Musselman what all needed to be gone in the last conversation he had with him. Mrs. Shaver stated we can put it in the letter again, but even when Mr. Koppe goes out there he gets irritated even more. Mr. LeDonne stated we need to just send the pictures we have and show him what we are talking about. Mr. Dodt asked if this property is considered unsafe because of the trash in the yard? Mr. Koppe stated it was at one point. Mrs. Shaver stated it is up to the Board to say if it's unsafe. Mr. Koppe stated that there is a pool still in the back yard, whether it has water in it or not he's not sure. Mr. Koppe recommends we give them 60-days, if not done they could get an additional \$1,000 fine, which would be the September 5th meeting, reinspect on August 30th. The last letter we sent stated that if not cleaned up by the July 11th meeting he could be fined \$3,000. Mrs. Shaver stated that we are continuing to get complaints about this property. Mr. Seehase stated that if you are still getting complaints then something needs to be done about it. Mr. Donato asked if any of the stuff is Health Dept. problems? Mrs. Shaver stated that we send all of our letters to Dan Musselman also so he gets all the properties we bring to the Board. Mr. Donato asked Mr. Stanton what is the unsightly rule for the county ordinance? Mrs. Shaver stated it's a state ordinance and it says on the findings exactly what the state will let you determine what is unsafe. So that's why we have you fill out the findings so you know exactly what you are looking at. If you feel like it's a public nuisance then you can mark it on the findings paper, being a public nuisance doesn't mean it has to have a Health Dept. issue and it doesn't mean it has to be a falling down structure. If it falls under one of the issues on the findings sheet you can still consider it unsafe. Mr. Donato asked if the county or city has a public nuisance ordinance? Mr. Stanton stated that the city does but the county does not.

Discussion was made between Mr. Stanton and the Board on the difference between county and city on public nuisance. Mr. Berkshire stated in the minutes from last months meeting we stated that if the property wasn't cleaned up by this meeting we could possibly assess up to a \$3,000. Mrs. Shaver stated it is a 45-day process to go through all that paperwork and we always bring it back to you to put it on that property. Even if we did the \$3,000 it wouldn't go on the property until we brought it back at the 60-day time frame. Mrs. Baker stated the Board should get it started. Mrs. Shaver stated so put the \$3,000 fine and bring it back at the September 5th meeting, reinspect August 30th. Mr. LeDonne asked we can still waive the fine at that time? Mrs. Shaver stated yes you can still waive the fine. Mr. Koppe stated we will send these pictures with the letter so he knows what he needs to clean up.

Mr. Seehase motioned to give Mr. Musselman 60-days to clean up the property, assess a \$3,000 fine with an additional \$1,000 fine if not cleaned up by the September 5th meeting, reinspect on August 30th. Mrs. Baker seconded the motion; all were in favor.

NEW BUSINESS:

DPR#23-05 – Cass County Gateway Overlay District (The Andersons Clymer's Ethanol)

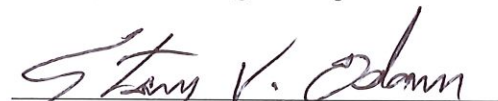
Mrs. Harper stated this is the petition for the Anderson's at Clymer's they are in the Cass County Gateway District. They are replacing the grain elevator bin fill equipment so that they will improve efficiency and help to prevent a line-up. They meet all developmental and the Gateway District standards. Mrs. Shaver stated we have always brought our staff reviewed items to Logansport Plan Commission, but we are going to start bringing them to the County Plan Commission to have them reviewed instead to have you approve our minutes. Mrs. Shaver stated we are just looking for approval of those minutes.

Mr. Dodt motioned to approve the DPR #23-05 minutes. Mrs. Baker seconded the motion; all were in favor.

FLOOR IS OPEN TO THE PUBLIC: None

ADJOURNMENT:

There were no further questions, Mr. Berkshire motioned to adjourn the meeting. Mr. LeDonne seconded the motion, the meeting was adjourned at 9:00 am on July 11, 2023.



CCPC Officer



CCPC Officer

 _____, Ashley Rowe, Recording Secretary