

MINUTES
CASS COUNTY PLAN COMMISSION
MONDAY, September 12, 2011

Jenny Clark called the regular meeting of the Cass County Plan Commission to order at 6:30 PM in the Commissioners Hearing Room on the 2nd floor of the Cass County Government Building.

ROLL CALL:

Members present: Jenny Clark, Gary Yeakley, Tom Steinberger, Allen Paschen, Fred Seehase and Jim Sailors.

Member absent: Brian Reed, David Hicks and Tamera Ogle.

Staff present: Arin Shaver, Peggy Dillon, Chris Gaumer and legal council Jeff Stanton.

Public in attendance: Al Ellsworth and Tony Butcher.

ACTION ON MINUTES:

Minutes of August 8, 2011 were approved as presented.

PUBLIC HEARING:

Junk Yard Regulations:

Arin Shaver explained that this was brought to Plan Commission last meeting, presented to the Commissioners and the Commissioners have amended the report with the following issues:

- Define motorized vehicles as cars, trucks, RV's, motorcycles, ATV's, lawnmowers, and boats
- Less than 1 acre, 3 vehicles allowed
- More than 1 acre, 5 vehicles allowed
- Adjoining parcels are considered 1 lot
- Only inoperable vehicles will be considered unsafe

Mrs. Clark asked for questions or comments from the public, there were none.

Gary Yeakley made a motion to approve this resolution. Tom Steinberger seconded the motion, roll call vote was unanimous to approve #11-02 for Junk Yard regulations.

REPORTS: Chris Gaumer presented the Improvement Location Permits for August, with no questions asked.

OLD BUSINESS:

Unsafe building updates: Mrs. Shaver presented pictures from August and current pictures taken today, September 12th along with the following information for all cases:

#11-01 Don Ulery 3104 N. CR 925 E.

Reasons for concern: debris, used tires, weeds and an open well.

Order issued 8/8/11: Clean up requested with a possible fine of \$500.

Current conditions: Mr. Ulery contacted the staff and stated his willingness to clean the property; well is covered; weeds are cleared; doors are hung on building; trash is removed; tires removed.

Gary Yeakley made a motion to release the fine due to the clean up and cooperation of property owner. Jim Sailors seconded the motion and roll call vote was unanimous to approve the release of the fine for Mr. Ulery.

#11-03 Rodnee Timmons 1829 N. 3rd St.:

Reasons for concern: Great deal of debris and trash; unused tires; small house with open doors and windows;

Order issued 8/8/11: Clean up requested with a possible fine of \$500.

Current conditions: No contact from property owner; no improvements on property;

Jim Sailors made a motion to raise the fine an additional \$1000, total fine of \$1500. Tom Steinberger seconded the motion and all were in favor.

Arin Shaver explained that the letter to be sent to Mr. Timmons will give him 30 days before the fine is imposed.

#11-06 Charolette Walker 4031 W. Quincy Road:

Reasons for concern: Holes in walls and roof; structural damages; tall weeds & grass;

Order issues 8/8/11: Secure and clean property with a possible fine of \$500.

Current conditions: No contact from property owner; Windows and doors are boarded up; no improvements made

Mrs. Shaver stated that this property is up for tax sale on 10/6/11. The board agreed to put this property on hold until after the tax sale. Mrs. Shaver stated that a letter will be sent to repeat the current order.

#11-02 Melodie Clements 7082 N. SR 25:

Mrs. Shaver stated that Ms. Clements is working with staff and has asked for more time, staff has agreed to this.

#11-05 John Ingold 10126 Walnut Street Lincoln:

Mrs. Shaver stated that Mr. Ingold has demolished the structure and is in the process of removing debris. Staff will monitor the situation.

NEW BUSINESS:

#11-08 Al Ellsworth S. of 10482 Walnut Street Lincoln:

Reasons for concern: Structure is unsafe; tree is growing out of porch; roof issues; open windows and garage open

Order issued 8/31/11: Secure property.

Mr. Ellsworth, 10452 S. Walnut Lincoln, stated that he wishes to demolish the structure but needs more time. Mrs. Clark suggested that Mr. Ellsworth be given 60 days to secure the building until it can be demolished. Tom Steinberger made a motion to re-inspect this property in 60 days. Jim Sailors seconded the motion and all were in favor.

#11-09 Charles Dailey 8498 & 8496 E. CR 800 S.:

Reasons for concern: Multiple open structures; roof problems; open doors and windows.

Order issued 8/31/11: Secure property, remove debris; control weeds; close open excavations

Mrs. Shaver stated there are many abandoned accessory structures, most are open with structural problems. Mrs. Shaver stated there was no response from property owners noting that the property was mowed. Tom Steinberger made a motion to send a letter requesting a continuation of the clean up of property and securing the structures within 30 days. Mr. Sailors seconded the motion and all were in favor.

#11-10 Tony Butcher 10215 S. Walnut Rd. Lincoln:

Reasons for concern: Open foundation; issues with roof; structural issues;

Order issues 8/31/11: Secure property;

Mr. Butcher, 10215 S. Lincoln, stated that everything is out of the building, plumbing and electricity and he wishes to tear it down, using the wood on his current house. Mr. Butcher stated that he would like 1 year to tear the house down.

Gary Yeakley made a motion to re-inspect in 1 year. Mr. Sailors seconded the motion, all were in favor.

New property to investigate:

9605 S. CR 900 E. Chad & Kim Baker had brought an RV onto their property while their house was being built and at this time, it looks as if the RV is being demolished, has one wall torn out. The board requested a letter be sent to her concerning this issue.

Citation Ordinance: Mrs. Shaver stated that Animal Control has their own citations and is not interested in being included in ours. Staff continues to work on this ordinance.

There being no further business to be brought before the Board, the meeting was adjourned at 7:08 PM on September 12, 2011.

Jenny Clark, President

Tom Steinberger, Secretary

Peggy Dillon, Recording Secretary