

**MINUTES**  
**CASS COUNTY PLAN COMMISSION**  
**MONDAY, August 13, 2012**

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 2<sup>nd</sup> floor of the Cass County Government Building.

**ROLL CALL:**

Members present: Jenny Clark, Allen Paschen, Fred Seehase, Tamara Ogle, Stacy Odom, Chris Frey, Jim Sailors and Paul Hartman, LPC representative.

Member absent: Brian Reed and Brad Johnson.

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

Public in attendance: Kevin Hedger, Pat McNarny and Kathy Hankee.

**ACTION ON MINUTES:**

Minutes of June 11, 2012 were presented, Jim Sailors made a motion to approve, Tamara Ogle seconded and all were in favor.

**PUBLIC HEARING:**

#12-05 Table A for Confined Feed Operations:

Mrs. Shaver explained that staff recommends changing the permitted use of confined feed operations in the AG, agricultural zone to a SE, Special Exception so that the Plan Commission is able to look at each proposed site and provide commitments such as traffic routes, access and residential distance separations to them. Mrs. Shaver stated that it would also be appropriate to consider the I1, Light Industrial and I2, Heavy Industrial zones also be changed to SE. Mrs. Shaver explained that a Special Exception is the easiest process and allows for conditions and commitments to be attached.

Jim Sailors stated that approval would be helpful to all involved and motioned to approve the change of a SE for the following districts, AG, AB, I1 and I2 for a confined feed operation. Stacy Odom seconded the motion and roll call vote was unanimous to approve #12-05.

**REPORTS:**

Improvement Location Permits:

Mrs. Shaver presented the July ILP's, no questions were asked.

Sprinkle Woods Subdivision:

Mrs. Shaver presented the minutes for the Sprinkle Woods subdivision, 900 S. between 700 E. and 600 E.

Mrs. Shaver stated this would be a 2 lot subdivision and will meet all lot and design standards except the access standards. Mrs. Shaver stated that the larger lot will meet standards of 300' but the smaller lot will only have 200' access. The Plat Committee approved this subdivision with the following conditions:

- The newspaper affidavit be provided prior to secondary approval.
- A 15' utility easement be provided on the plat for possible drainage onto other properties.
- A right to farm be signed prior to the application of a building permit for either site.

Fred Seehase made a motion to approve the minutes of the Sprinkle Woods subdivision. Allen Paschen seconded the motion and all were in favor.

**OLD BUSINESS:**

**Unsafe Building Orders:**

#12-01 1217 N. 600 E. Livingston Dilapidated structure:

Chris Gaumer explained the issues:

- Doors open
- Some windows board up
- Tall weeds and grass
- An extension for the clean up was given in June until this Aug. meeting
- Very little improvement has been made
- No contact with staff within 60 days

Tamara Ogle made a motion to certify the fine of \$1500 now, send a letter stating this and that an additional \$1500 will be assessed in October if there are no further improvements.

#12-03 463 E. 325 S. *Burned mobile home, debris:*

Mr. Gaumer stated that in June the structure had been torn down, debris was stacked in piles and in August debris was burned.

Kevin Hedger, 463 E. PR 325 S., stated that he is working on cleaning up the property and presented pictures. The board questioned when the clean up may be completed and he responded probably in October, 2012.

Mrs. Ogle made a motion to continue to monitor this property until the October meeting. Jim Sailors seconded the motion and all were in favor.

#11-05 10126 Walnut St. *Ingold Accessory structure falling in:*

Mr. Gaumer explained that there has been an improvement, the structure has been demolished and debris is cleaned up with only small piles of debris.

Mrs. Ogle made a motion to extend the deadline for the clean up until October 5, 2012 or the fine of \$1500 will be certified. Chris Frey seconded the motion and all were in favor.

#11-01 918 SR 17 Pickering *Dilapidated structure:*

Mr. Gaumer stated that some improvements have been made, but there are still holes in the roof and windows and debris on property.

Mrs. Ogle made a motion for staff to send a more specific letter stating requirements needed to secure the property with a deadline to be before the October 2012 meeting. Motion was seconded by Mrs. Frey and all were in favor.

**NEW BUSINESS:**

**Unsafe Buildings:**

#12-08 Along 900 S. Patterson & Fightmaster *Dilapidated structure:*

Mr. Gaumer stated that the Health Department contacted staff to investigate due to holes in roof and the structure has extreme damage. Mr. Gaumer explained that the certified letter was not signed for but the posting was taken down.

Mrs. Ogle made a motion to send a letter requesting the structure to be torn down by October 5, 2012. Mr. Sailors seconded the motion and all were in favor.

#12-09 9691 E. SR 218 Hankee *Open windows and doors, holes in roof, dilapidated structure:*

Mr. Gaumer presented pictures and explained that the windows are all open and he feels the owners are in the process of demolishing the house.

Kathy Hankee, 9691 E. SR 218, stated that she wishes to demolish the house and her father is doing the demolishing it but it is a slow process due to health issues of them both.

The board suggested that the property may be boarded up, secured, to keep out infestations.

Tamara Ogle made a motion to re-inspect this property on April 5, 2013 for the securing and cleaning up of the property, no fines at this time. Mr. Sailors seconded the motion and all were in favor.

Ms. Hankee questioned the material that can be used for the boarding up of windows. Mr. Gaumer stated that the material needs to be weather tight, secure and not blowing in the wind. Mr. Gaumer stated that staff will inspect the window when they are completed.

Bylaw Revision:

Mrs. Shaver explained that State Code only requires notices to interested parties as follows:

- Certificate of mailing will replace certified mail to interested parties for public hearings

No questions were asked. Mrs. Shaver said this board will vote on this amendment at the next meeting.

**FLOOR IS OPEN TO THE PUBLIC: None.**

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

The meeting was adjourned at 7:19PM, August 13, 2012.

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Jenny Clark, President

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Tamara Ogle, Secretary

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Peggy Dillon, Recording Secretary