

MINUTES
CASS COUNTY PLAN COMMISSION
Tuesday February 2, 2021

Stacy Odom, 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: Fred Seehase, Krista Pullen, Stacy Odom, Jim Donato, Gary Berkshire, Josh LeDonne, Brian Reed and Ruth Baker

Member absent: Jon Guy

Staff present: Arin Shaver, Eric Servin, Peggy Dillon and Legal counsel, Jeff Stanton

Public in attendance: See sign in sheet

ADDITION TO AGENDA:

Mrs. Shaver explained that she would like to bring forward and add to the agenda the following items: an unsafe property on Church St.; Annual Report 2020 and the Work Program 2021. Mr. LeDonne motioned to accept these 3 items to the agenda. Mr. Donato seconded the motion and all were in favor.

ACTION ON MINUTES:

Minutes of January 5, 2021 were presented. Mr. Reed motioned to approve as presented. Mr. LeDonne seconded the motion; all were in favor.

PUBLIC HEARING:

None:

REPORTS:

Annual Report 2020: Mrs. Shaver presented the Annual Report for 2020 and explained that typically it is sent to the Executive Committee and would like to give it to the whole Board. There were no questions.

Work Program 2021: Mrs. Shaver briefly explained the Work Program for the Planning Department that includes 3 jurisdictions: Cass County, Logansport and Walton, Mrs. Shaver asked for any projects or concern to be added to the Work Program, there were no questions or comments.

Mr. Reed motioned to accept the Work Program 2021. Mrs. Baker seconded the motion and all were in favor.

Unsafe Property: 9835 Church St.

Mrs. Shaver explained that the correct house has been identified and a 1st order will be sent to the property owners and stated that it be brought to the March meeting.

OLD BUSINESS:

1411 N. US 35 – Pollard: fire; unsafe structures

Mrs. Shaver explained that she and Mr. Stanton have reviewed the bids that were opened at the January meeting and explained the following:

- From the 5 bids, all except 1 had provided all items necessary
- Mrs. Shaver asked what their bid would be without removing the septic: Handy Excavation - \$40,500; Shroyer Brothers - \$45,500; Merritt & Sons – no response yet; Indiana Earth - \$138,300
- Options at this time: Accept the work that has been done on the property and keep a watch on it; Accept the bid and have it torn down; Ask the owner to do more work on the property
- The order for demolition has been recorded, but not a fine
- Additional appropriations will be asked for demolition

Mr. Odom asked if the structure is safe at this time. Mr. Koppe responded that the structure is very unsafe, it has been open to the elements for a long time; the roof is a temporary fix and the cement board is not meant to be outside material; the property is not secure.

Mrs. Shaver stated that temporary fixes were done with the understanding that the property was up for sale, it didn't sell and now is back to this Board.

Mrs. Shaver expressed concern that the seller won't sell the property and that the property will remain as it is.

A discussion of several issues followed:

- This property has been classified unsafe for 2 ½ years
- There have been 3 different owners; Mr. Pollard represents all 3
- Out of the 16 acres, the structures and septic are on 3 acres
- If a lien is issued, it would be for the 3 acres
- If this Board determines to demolish, there will still be a short amount of time that the owner may sell it and the demolition could be cancelled
- Health Dept. stated that the 2 septic systems are fairly new
- Action is needed

After the discussion, Mr. Seehase made the motion to accept the bid from Merritt Brothers; pending the completion of the form to leave the septic system; pending the approval of Council for further appropriation; and to assess a \$5,000 fine and bring forward to the March 2, 2021 meeting. Mr. Donato seconded the motion and all were in favor.

8029 W. 150 S, - Warren: Burned; Debris on property

Mr. Koppe stated that the property burned and the owners have progressed with the clean-up. Staff recommends to re-inspect on March 31, 2021 and bring forward to the April 6, 2021 meeting. Mr. LeDonne motioned to accept this recommendation. Mr. Seehase seconded the motion and all were in favor.

1586 Georgetown Rd - Banter: Vehicles and Junk

Mrs. Shaver explained the following:

- Vehicles are all over the property and are a violation of the Zoning Ordinance
- The next step is taking the owner to Court
- Health Dept. stated there is no approved septic system and has deemed the house to be uninhabitable

Mr. Reed asked for specifics as to what is unsafe. Mrs. Shaver stated that this would be determined mainly by the Health Department. Mr. Musselman, Health Dept. Manager, stated he is waiting for documentation from IDEM as to what health violations have occurred. Mr. Musselman state he will get a report from IDEM by the March meeting.

Bill Ward, 6754 W. Georgetown Rd., explained that there are house trailers on the property, people are pulling motors out of vehicles, oil is being dumped on the ground, it is a mess.

Mr. Koppe stated the structures need maintenance, roofing is falling off.

Mrs. Shaver stated for the zoning ordinance issue, the court would determine what should be done.

Mr. Stanton stated going to court takes time but can have success.

Mr. LeDonne motioned to re-inspect on February 24, 2021; bring to the March 2, 2021 meeting and get the IDEM report from the Health Department and assess a fine of \$5,000. Mr. Berkshire seconded the motion and all were in favor.

Bylaws Amendments: Notification of Interested Parties

Mrs. Shaver used the GIS map to demonstrate what 300ft. would include. Mrs. Shaver was also able to show different area requirements such as 1/8th of a mile, or 2 properties out, adjacent and adjoining etc. A sign was suggested but that can be stolen or multiple signs may be necessary; a sign could be in procedures, not to be required.

Mr. Odom stated that moving out into the county, there will be less property owners normally, closer to Logansport there will be many; this will put more of a notification burden on the petitioner. A discussion followed and the Board tried to determine the right distance for notifications when a rezone is petitioned for.

Mr. Seehase motioned to amend the bylaws to require notifications of property owners within 1000 ft. of a proposed rezone area for the County and also individual petitions. Mr. Berkshire seconded the motion and all were in favor.

NEW BUSINESS:

Unsafe property 1586 Georgetown Rd was discussed already.

FLOOR IS OPEN TO THE PUBLIC:


No one spoke to the Board.

ADJOURNMENT:

There were no further questions and the meeting was adjourned at 9:50 am February 2, 2021.



CCPC Officer



CCPC Officer



Peggy Dillon, Recording Secretary