

MINUTES
CASS COUNTY PLAN COMMISSION
Tuesday April 4, 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: Ruth Baker, Josh LeDonne, Zach Dodt, Derek Pullen, Gary Berkshire, Krista Pullen and Jim Donato

Member absent: Stacy Odom and Fred Seehase

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

ACTION ON MINUTES:

Minutes of March 7, 2023 were presented. Mr. Donoto motioned to approve as presented. Mrs. Baker seconded the motion; all were in favor.

PUBLIC HEARING: None

REPORTS: Safe

8251 E SR 16 – Williamson

Mr. Koppe stated we had a complaint, the only thing Mr. Koppe noticed was there was a hose and doors sitting around. Mr. Koppe did not see anything unsafe about this property. Mr. Koppe stated they turned an old church into an apartment building. Mrs. Harper stated that someone thought they were digging, something to do with the septic. Mr. Koppe stated he saw no evidence of any digging. Mrs. Baker asked Mr. Koppe if he was able to go inside to take a look. Mr. Koppe stated no he was not able to go inside.

Mr. Berkshire motioned to accept that the Board mark this property as safe. Mr. Pullen seconded the motion; all were in favor.

OLD BUSINESS:

Unsafe Property

319 Northern Ave - Lynch

Mrs. Shaver stated we only had one person submit a bid but he didn't complete the State Form. Mrs. Shaver asked Mr. Stanton if we have to deny the bid or do we need to resubmit the bid process again? Mr. Stanton stated he would like to look at the bid that was submitted. Mr. Stanton stated we will probably have to resubmit the bid process.

5788 N SR 25 – MH Realty

Mr. Koppe stated this property has three or four trailers that are full, so they are working on getting things cleaned up. They have moved some vehicles off the property. With the rain it became an issue, but Mr. Koppe has noticed they are working on things. Mr. Koppe recommends we give them 30 days to clean up the property with a possible \$2,000 fine by the May 2nd meeting, re-inspect on April 26th. Mr. LeDonne asked the audience if anyone was at the meeting to represent the property. Courtney Gibson stepped to the microphone, her address is 5788 N SR 25. Miss Gibson stated she knows the initial problem was the vehicles, which he has sold 6 or 7 vehicles. Miss Gibson asked the Board what the main problem was now on the property? Mr. LeDonne stated it was the scrap piles on the property. Miss Gibson stated with the weather not cooperating and us both having full time jobs its been hard to work on the property. Mr. LeDonne stated as long as we are seeing progress that's all we ask. Miss Gibson asked, in the letter it stated that we got a \$2,000 fine? Mrs. Shaver stated how that process works is, they did assess that fine at the last meeting, we provide you with the letter. There will be another letter that will be sent to you, before we actually assess it, we will ask the Board if they still want to move forward with recording the fine. If you make enough improvements they could still not assess it. Mrs. Shaver stated as of right now it is still

in the process to assess, so it's possible. If there isn't enough improvement it won't be until the June meeting that it will be assessed. Mrs. Shaver stated you will still be getting another letter, it's the 30-day letter that will be sent to you. Then after that the Board will be able to say if they are going to put it on the property. Mr. Donato stated the Board understands that it's been rainy and muddy, we just like to see progress.

Mr. Dodt makes a motion to accept that the Board give them 30-days to clean up the property with a possible \$2,000 fine if it's not cleaned up by the May 2nd meeting, reinspect on April 26th. Mrs. Baker seconded the motion; all were in favor.

2311 Capital St – Aceredo-Ortiz

Mr. Koppe stated there has not been any progress on this property. The vehicle is still turned over, they are still scrapping items. Mr. Koppe recommends we give them 30-days to clean up the property with a possible additional \$1,000 fine, that would be the May 2nd meeting, re-inspect on April 26th. Mrs. Shaver stated last month's meeting we stated if the property was not cleaned up the Board would assess a \$2,000 fine, so if the Board would like to assess that today you can. Mr. LeDonne asked if anyone was here to represent this property, there was no one in the audience.

Mrs. Baker motioned to accept that the Board assess the \$2,000 fine, give them 30-days to clean up the property and assess an additional \$1,000 fine, which will be the May 2nd meeting, re-inspect on April 26th. Mr. Dodt seconded the motion; all were in favor.

122 N 800 W – Davis

Mr. Koppe stated he has spoke to Mr. Davis and he is aware of what all needs to be done. He is going to start cleaning up this spring when the weather is better. Mr. Koppe stated the reason the pictures are so far away is Mr. Davis asked me not to be on his property, we just take the pictures from the road. Mr. Koppe recommends we give Mr. Davis 30-days which is the May 2nd meeting, re-inspect on April 26th. Mr. LeDonne asked if there was anyone in the audience for this property. Mark Davis, 122 N 800 W stepped to the microphone. Mr. LeDonne asked Mr. Davis if he understood all that the Board is asking him to do. Mr. Davis answered yes, he understands. Mr. Davis stated there is no problem cleaning up what needs to be cleaned up. Mr. Davis stated if the neighbors would have got ahold of me directly I would have cleaned up what was a concern to them, instead of bringing it to the Board. Mr. LeDonne stated if you have any questions about what all needs done you have Mr. Koppe's number? Mr. Davis stated yes, he has Mr. Koppe's number. Mr. Koppe asked Mr. Davis if it was ok to come out and take some new picture's, Mr. Davis said yes, he could do the same as last time.

Mrs. Baker motioned to accept that the Board give them 30-days to clean up the property, which would be the May 2nd meeting, reinspect on April 26th. Mr. Pullen seconded the motion; all were in favor.

501 N 600 E – Titus

Mr. Koppe stated this property has done a lot of clean up. Everything in front of the camper has been cleaned up, the only thing Mr. Koppe noticed that still needed cleaned up was a couple skids and some stuff in the back. Mr. Koppe recommends we give him 60-days to clean up the property, which would be the June 6th meeting, re-inspect on May 31st. If it's not cleaned up by then a possible \$2,000 fine. Mr. LeDonne asked if there was anyone here for this property, there was no one.

Mr. Berkshire motioned to accept that the Board give them 60-days to clean up the property, which would be the June 6th meeting, reinspect on May 31st. Mr. Pullen seconded the motion; all were in favor.

51 N 400 W – Musselman

Mr. Koppe stated that the owner has made a lot of progress on the property, but since the last meeting some things haven't been moved. Mr. Koppe recommends we give them 30-days which would be the May 2nd meeting, reinspect on April 26th. If it's not all cleaned up by the meeting assess a possible \$3,000 fine. Mr. LeDonne asked if there was anyone in the audience here to represent this property. Robert Musselman, 51 N 400 W, stepped to the microphone. Mr. Musselman stated the reason that there hasn't been much movement on the property is weather and his wife has had 3 surgeries in the last 9 months. Mr. Musselman stated he has hauled 2 loads last Thursday and Sunday. The skids at the end of the property have been taken care as of last week. Mr. Musselman stated he doesn't want to rut the yard up. The shed will get moved when he can financially move it. Mr.

Musselman stated he is doing what he can with the circumstances he's been dealing with. Mrs. Shaver stated the Board can give him 30-days or 60-days which would be the June 6th meeting, reinspect on May 31st.

Mr. Berkshire motioned to accept that the Board give them 60-days to clean up the property, which would be the June 6th meeting, reinspect on May 31st. If the property isn't cleaned up in 60-days assess a possible \$3,000 fine. Mr. Donato seconded the motion; all were in favor.

9644 S 900 E – Phillips

Mr. Koppe stated this property has gotten worse. Mr. Koppe recommends we give them 60-days which would be the June 6th meeting, reinspect on May 31st with a possible \$2,000 fine. Mr. Koppe stated this property was on our agenda awhile back, they did clean it up but somehow it got bad again. Mr. LeDonne stated this property did get cleaned up. Mr. Koppe stated yes, it was cleaned up, they did an excellent job before. Mr. LeDonne asked if anyone was in the audience for this property. The property owner Jenifer Phillips, 1686 Hull Rd, Alabama stepped to the microphone. Mrs. Phillips stated she did see him cleaning up this morning. The property is willed to him, he lives there, but he junks she guesses. Mrs. Phillips looks at the pictures and notices he has cars everywhere, she doesn't know if they run. Mr. LeDonne thanked Mrs. Phillips for coming to the meeting.

Mr. Berkshire motioned to accept that the Board give them 60-days to clean up the property, which would be the June 6th meeting, reinspect on May 31st. If the property isn't cleaned up in 30 days assess a possible \$2,000 fine. Mr. Dodt seconded the motion; all were in favor.

5323 High St – New Century Home Equity Loan & Trust

Mr. Koppe stated this property has been cleaned up very well, everything is gone. Mr. Koppe recommends we remove this property from the list.

Mr. Dodt motioned to accept that the Board remove this property off the list. Mr. Berkshire seconded the motion; all were in favor.

2301 Capital St – Grandstaff

Mr. Koppe stated thinks Mr. Grandstaff has done what the Board has asked him to do, the only thing that is left on the property is the wood piles, which is what he does for a business. He cuts trees down for income. Mr. Koppe stated there is a camper shell still there, but as far as getting the property cleaned up he has done that. Mr. Koppe recommends we put this property on the Watch list. Mr. Donato asked if we would just put him on a 90-day watch? Mr. Koppe stated we have other properties out by his property. He could just check on it and make sure that it's not getting out of control again. Our Watch list is an ongoing list. Mrs. Shaver explained that even if it is totally removed or on the Watch list we would have to bring them back again.

Mr. Donato motioned to accept that the Board remove this property off the list. Mr. Pullen seconded the motion; all were in favor.

2215 E River Rd – Elliott

Mr. Koppe stated this property looked the same as before. The two cars are still there and some piles in the back. Mr. Koppe recommends we give them 30-days to clean the property up which would be the May 2nd meeting, reinspect on April 26th if it's not cleaned up by the next meeting assess a possible \$1,000 fine. Mr. LeDonne asked if anyone was in the audience to represent this property. Dan Elliott, 2201 Oakland Ave stepped to the microphone. Mr. Elliott stated that the two cars in the front are gone now. The white car in the picture they can't get to it. Mr. Elliott stated they tried to remove the white car but with the yard being bad right there it's hard to get to it without it ruining the yard. The white vehicle is scheduled to be removed. The piles of wood they are going to put it in a pile and burn it. Mr. Elliott stated he is working on it the best he can. Mr. LeDonne asked if 30-days was enough time to get things cleaned up? Mr. Elliott asked if they could give him 60-days? Mr. Koppe stated he has done a lot but since the last meeting it just didn't look like much got done. Mrs. Shaver stated if the Board wanted to do the 60-days it would be the June 6th meeting, reinspect May 31st.


Mr. Pullen motioned to accept that the Board give them 60-days to clean up the property, which would be the June 6th meeting, reinspect on May 31st. If the property isn't cleaned up in 60-days assess an additional \$1,000 fine. Mr. Berkshire seconded the motion; all were in favor.

NEW BUSINESS: None

FLOOR IS OPEN TO THE PUBLIC: None

ADJOURNMENT:

There were no further questions, Mr. Donato motioned to adjourn the meeting. Mrs. Baker seconded the motion, the meeting was adjourned at 9:00 am on April 4, 2023.



CCPC Officer



CCPC Officer


_____, Ashley Rowe, Recording Secretary