

MINUTES
CASS COUNTY PLAN COMMISSION
Tuesday July 5, 2022

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: Ruth Baker, Josh LeDonne, Stacy Odom, Gary Berkshire, Fred Seehase, Brian Reed, and Zach Dodt

Member absent: Jim Donato, Krista 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

ACTION ON MINUTES:

Minutes of July 5, 2022 were presented. Mr. LeDonne motioned to approve as presented. Mr. Berkshire seconded the motion; all were in favor.

PUBLIC HEARING: None

REPORTS: Review of Demo Specs

Mrs. Shaver stated she had a couple questions that are highlighted about the Demo Specs that were discussed at the last meeting. Permits are good for a year, but Mrs. Shaver wanted to know how long we will give them to finish the demo? Mrs. Shaver also asked if the applicant left the foundation open because they are going to rebuild on it and there is an active permit. They would need to put a fence, Mrs. Shaver's question is what type of fence and do we have a specific height? The Board discussed the time frame they would like is 6 months to get the demo completed. Mr. Odom asked, on the foundation of the property, are we talking about basements or just a foundation? Mr. Odom stated there would be a difference between a foundation verses a basement. A foundation would be level with the ground and would just be concrete. Mr. Seehase stated a crawl space could be 4 ft deep. Mr. Odom asked would that be taken into consideration. Mr. Odom stated if we have concrete on the surface there wouldn't need to be a fence. Mrs. Shaver stated if there are just footers you wouldn't make them remove them for drainage. You wouldn't make them put a fence around that. Mr. Koppe stated as far as your foundations go your going to be 36 inches to the bottom of that footing no matter what, so you could be 42-inch hole left on a crawl space. A basement there is a 5-foot difference, that could be between 7-8 ft deep. Mr. Koppe's opinion is, if you leave the foundation there needs to be a fence around it. Mrs. Shaver stated whether it's a crawl or basement. Mr. Seehase asked what if there is a cement slab? Mr. Koppe answered, he has no problem with that not having a fence. That's going to be flush with the grade, whatever the existing grade is. Mr. Odom asked, so that will be taken into consideration? Mrs. Shaver stated, she can put if there is a crawl/basement greater than 2-foot there needs to be a fence put up around the area. The fencing needs to be at least 4-foot high, with a post every 8-foot so it doesn't fall down. Mrs. Shaver asked the Board if there were any other questions on the specifications? The Board had no more questions.

Mrs. Shaver stated she did attach the Demolition Permit and the information pack that would be given to the applicant when they apply for the permit. Mrs. Shaver discussed the Asbestos Testing sheet, stating the testing is required for commercial, industrial, commercial agricultural and residences with 4 or more units is the specifications by the State. If the municipality's doing it we have to do all of them. All the items that the Health Department gave us to put in the packet also. If there is nothing else for the demo specs we will make the necessary changes and we will have the packet ready. Mr. Odom asked the Board if there were any more questions or comments. The Board had no other questions or comments.

Safe Property Reports:

30 Lake St., Lake Cicott

Mr. Koppe stated this property is in Lake Cicott we are not 100% sure what is unsafe about this property. They have building material laying around, would this be considered unsafe. Or is it ok to have the building material

laying around. Mrs. Shaver stated we had talked about if we felt it was safe we would bring it to the Board. If you thought one of our safe property's actually unsafe we would take it through the process. If the Board feels comfortable with these, they don't really need a vote. We have already marked them safe, but if we want to take them through the process. The Board would just let us know that they want them to move forward through the process. Mrs. Shaver stated the report is in your packet. Mr. Seehase stated the glass windows is really the only thing he sees, someone could fall through one. Mrs. Shaver asked the Board if they would want them to move it forward as unsafe for the windows? Mr. Berkshire stated personally he doesn't see anything unsafe about this property, everything's mowed and kept clean looking. Mrs. Shaver stated the Board doesn't have to vote but if you could vote to make it easier. Mr. Odom stated he doesn't think the Board has to vote on it.

122 N 800 W, Lake Cicott

Mr. Koppe stated every property I go to, I go up, knock on the door and let them know what I'm doing. I have a relationship with them, as far as conversation, that way they feel more comfortable about me walking around their property. Mr. Koppe stated he knocked on the door, no one answered. He went ahead and took some pictures. The lady of the house came out, she talked with Mr. Koppe she said it was ok for him to walk around and take pictures. He went ahead and started taking pictures, she then came out with her husband on the phone on video call and he asked him to leave. Mr. Davis did not want him on his property. Mr. Koppe stated there is a lot of trash on this property. Most of the trash is to the north side of the house, the picture that was shown of the front porch is facing 800. You can't see from 800 the trash in the back of the property. The Board discussed the pictures of the property. Mr. Koppe stated it progressively got worse as you walked to the east side of the property. Mr. Koppe stated this is when she came out and asked me to leave. Mr. Koppe stated on something like this where do we draw the line. Mr. Dodt asked if there was anything unsafe? Mr. Koppe answered, he didn't see anything unsafe just trash and piles. Mr. Anderson stated who are you to judge how someone is to live. Where are we at where you can dictate what is right with someone's life and living that you guys can sit here and judge if its ok or not. Mr. Odom stated if you would like to comment we would ask that you come up to the microphone, state your name and address, so we can have a recording. Mrs. Shaver asked if this was his property. Mr. Anderson stated no, he stated he's fighting for him and everyone in the county with what you are doing for the properties here in this county. Mrs. Shaver stated there will be a public comment part later in the meeting, if you would like to mark your name. Mr. Anderson stated he did mark his name on the sign in sheet. The following are the items that the State Code says that you can regulate:

- Fire Hazard
- Hazard to public Health
- Public Nuisance
- Dangers to a person or property because of a violation of statue or any ordinance

Mrs. Shaver stated, if you feel like these properties that we are showing you that we currently have as safe don't fall into any of these categories for you then we won't take it though unsafe process. So, this is what you are determining your decision upon. Those are the items this Board has to take into consideration. Mrs. Shaver stated the ones we are looking at currently are the ones that staff has said are safe not unsafe. If the Board wants to change the staff decision and then we go through the unsafe process. Mr. Koppe added its not us as staff that's going out and looking at these its when people call in and say its an issue for them. Then we go out and look at them. Mrs. Shaver stated we had an individual that called in the Cicott area, they gave us 4-5 addresses when they called. Mr. Odom stated from the discussions this property is another one that we didn't see that we would consider unsafe. Its one of those that may be progressing at some point, but as of now it doesn't appear to be unsafe.

7392 W US 24, Lake Cicott

Mr. Koppe stated the initial complaint was a vehicle that has been up on blocks, that has been there for a while. Since then, it has been removed. Mrs. Shaver stated even with that, there vehicles on that property they can have inoperable vehicles. Like we have mentioned before anytime we get a call we go out and inspection the property. At some point if the Board agrees with the staff, say for the next 6 months, the Board can decide if we have to bring the safes in front of the Board. With us just starting this process, that's why we are doing it. Mr. Odom stated with us agreeing that this property is safe we can move on to the next property.

7444 W US 24, Lake Cicott

Mr. Koppe stated the complaint on this property was there are trash piles and kids playing around the trash piles. Mr. Koppe stated he didn't think in his opinion this was unsafe, it's just normal living. There is a burn pile in the back, and a little bit of trash. The front of the house is cleaned up. Mr. Odom asked the if the Board had any concerns about this property. The Board said they had none.

7658 W US 24, Lake Cicott

Mr. Koppe stated this property has a lot of stuff. In the picture under the tarp is construction material, he is doing some remodeling with everything on the property. The owner also has a few vehicles on the property. The complaint was that there was freezer outside, pets not being attended to and trash. Which the piles on the property is not trash it is building material. Mr. Koppe spoke with the owner, he stated that he was getting ready to have back surgery so he just covered everything up until his surgery is done. The freezers that are on his property are plugged in and working, he is using them. He just didn't have anywhere to put them inside. Mr. Odom asked the Board if they had any concerns, the Board had none.

1680 Jackson, Georgetown

Mr. Koppe stated he walked all around the property. There were some piles of brush laying around that could possibly be moved but is it unsafe, no. The house is not unsafe, the barn has a few maintenance issues but nothing on this property is unsafe. Mr. Odom asked the Board if they have any concerns on this property, the Board had none.

6964 Georgetown, Georgetown

Mr. Koppe stated this property has a camper on the property, 2 sheds and a couple trash piles. Mr. Koppe didn't see anything unsafe about this property other than the piles. Mr. Odom asked the Board if they have any concerns on this property, the Board had none.

OLD BUSINESS:

Mrs. Shaver stated these are the properties the Board will need to vote on to move forward, fine, remove from the list or put them on the watch list. These are ones that we've looked at before so that is why we don't have the radius maps. That way you already know the area that these properties are at.

1705 Cliff Drive – Anderson

Mr. Koppe stated this property has some trash piles, he has spoken to Mr. Anderson. Mr. Anderson's property he has some vehicles that he uses as "Art". Mr. Anderson has moved the Willey's Jeep back away from the curve, he moved it back more towards the center on the other side of the drive. Everything else is pretty much the same as before. Mrs. Shaver stated that Mr. Anderson is present. Mr. Odom asked if the owner has any comments he would like to share? Mrs. Shaver stated, we did send a letter to have us walk the property, because that was what our last discussion was at the last meeting, we didn't get a call stating we could walk the property. Mr. Koppe did take pictures from the highway. Mr. Anderson discussed what he does on his property. Mr. Anderson stated he was whimsical about the front of the property. He cleared out his property so you could see the bald eagles that are there every day. Mr. Odom stated that is one of the challenges we have on following up with complaints, hopefully we protect your rights as well as the other peoples to. Our process here, we are trying to make some kind of determination whether its an unsafe property for the public. Mr. Anderson asked, if the public is supposed to be on his property? Mr. Odom answered no, you have personal property. Mr. Anderson stated, so my house being unsafe for the rest of the public doesn't matter than does it. Mr. Odom answered, not as far as what we are talking about here today. Mrs. Shaver asked if the Board has items that are the main concerns for them? Mrs. Shaver thought one of the main concerns was the vehicles close to the road. Mr. Anderson stated, which these vehicles are set back as far as the utilities. Mrs. Shaver stated that even municipal and utilities have easements for setbacks, so she understands that you might think that's individual's area. There are still setbacks that are required by them to. Mrs. Shavers asked if there were piles that are concerns that would cause the issues with fire hazards. Mr. Anderson stated that he is not allowed to burn anything on his property unless it is natural wood, according to the fire department in our county. Mrs. Shaver asked, as you sort through the piles are you moving them from pile to pile. Are you sorting them into piles, like this pile needs to go to the landfill? Mr. Anderson answered yes, he has been sorting metals and aluminums to reuse the material. Mrs. Shaver stated on these vehicles that you say you can't move because you don't have a title for them, I think that actually is a new State Code now. Do you have all oils and gases cleaned out of all of them? Mr. Anderson stated yes, they don't have engines in them. Mrs. Shaver asked about the vehicles he has at the road side, if they have everything cleaned out of them? Mr. Anderson stated they are just the shells of the cars. Mrs. Shaver asked how often do you take your piles to

recycling? Mr. Anderson stated, it just depends on what project I'm working on at the moment. Mrs. Shaver stated really the concern of this Board is that it continues to get more piles. Mr. Anderson asked why can't I have my own private junk yard on my own property? Mrs. Shaver stated those are local ordinances that have been put in place that we are here to help regulate. Mr. Anderson asked how can you regulate any farm house across this county that has ten times more than the amount you are allowing me to have on my property? Mrs. Shaver stated it is the county that put it in place and they are operable. Those vehicles by the road aren't the ones we have major concerns about, those are more of visibility issue back from the road. Our concern are the ones that sit there and possibly end up leaking onto the property and going into the water sources. So that is our concern of inoperable vehicles that do not move. Mrs. Shaver asked are you going to get rid of the vehicles if the law changes? Mr. Anderson stated he can get in touch with them and see when they are going to lighten up a little bit on things. Mrs. Shaver stated as you are moving forward on those types of things, our biggest concern is when they are leaking and causing problems. We understand people are going to have projects, we understand you might have multiple vehicles to do those projects. But to not leave it as a junk yard that you are scrapping them and you are getting rid of them when you are done. On these piles our concern is you are never getting rid of them, they are becoming piles after piles. You are saying you are going through them and separating them out, you then are scrapping them out? Mr. Anderson stated that when the fire department showed up and said I couldn't burn anything that isn't natural and native to county. Mr. Anderson stated if he could pile it up and burn it the piles would be gone already. Mrs. Shaver stated what our process is, that we review these properties. We review them and we say these are the things that you are doing, and your moving things out. That's basically what we have worked with every property owner, is saying here is our concerns. Mr. Anderson stated this is an ongoing list of the complaints are about and what the regulations are about. Mrs. Shaver stated she can't change the regulations we can only enforce them. What we can say, we understand your working on these different items. By the State Law we have to review everything every 60 days, if 60 days it changes we understand you are actually doing things. That's why we wanted Mr. Koppe to come onto the property so we could say this is the base line, we see stuff moving we don't see just continual adding on. That's the whole purpose of this, so your property doesn't become a junk yard. If we can have that discussion of Mr. Koppe coming out every couple months, and stuff is moving or becoming a new pile. Making sure there are no vehicles that are leaking or piles getting buried into the ground. Mr. Odom asked Mrs. Shaver what does our ordinance state about non-mobile vehicles? Mrs. Shaver answered our max right now is 5 vehicles as long as they are not visible from the road. Mr. Odom asked Mr. Anderson how many vehicles do you have that are non-operable on your property now. Mr. Anderson stated half of the vehicles I have are partial vehicles. Mrs. Shaver asked Mr. Anderson how can we work together to make this work? Mr. Anderson stated let me know where there is a building being torn down so I can go collect material to build something to put these vehicles in. That is the only way I can build something, is if I can go collect material to build things. Mrs. Shaver stated in this meeting we need to decide can we move forward, but its more of have Mr. Koppe come out make sure things are moving. What the Board needs to decide what are the concerns. The number of in-operable vehicles which is a discussion of when things get open you can actually scrap some of that. The other thing would be the actual scrap piles. If the Board sees movement on the property every two months, then the Board can decide is that the right amount of movement. What we typically would say what is your plan. Mr. Odom stated one of the things we need to try to address is the number of vehicles that's in-operable on the property. Everything that is sitting there that you are not fixing up the fluids need to be drained. The other thing is the number of vehicles that are on the property, because there is a limit. As long as that rolling stock stays within a reasonable number, we can see that is fine. Mrs. Shavers suggestion to the Board is have Mr. Koppe come out see how the property is today, in the 60 days that we normally do, we go back out and see if there has been movement. Mr. Koppe stated if you want to give them 60 days that would be September 6th meeting and reinspect on August 31st.

Mr. Berkshire motioned to accept that the Board give Mr. Anderson until the September 6th meeting for the unsafe property with reinspection on August 31st. Mr. Dodt seconded the motion; all were in favor.

9657 S 900 E – Fawcett

Mr. Koppe stated this property was pretty rough in the beginning they have since cleaned everything up. They have everything in one general pile and are continuing to haul stuff away, around the house everything is cleaned Mr. Koppe would recommend the Board put this property on a watch to make sure they continue to clean things up.

Mr. Reed motioned to accept that the Board put 9657 S 900 E on the watch status. Mrs. Baker seconded the motion; all were in favor.

319 Northern Ave - Lynch

Mr. Koppe stated when we first brought it to the Board there was a tarp on the roof. Since then we have had upper 90s weather, he thinks that is why they pulled the tarp back. Mr. Koppe recommends that the Board give them 30 days that would be the August 2nd meeting and reinspect on July 27th. Mr. Odom stated we have already done the 60 days. The owners were present at the meeting, Mr. Odom asked if they would like to come forward, state their name and address. Kimberly Lynch, she is in the process of selling the property to the people that live there. She has been trying to get updates from them but no one has gotten back with them. Mr. Odom asked if they lived there themselves, or they have someone living there that is looking to purchase it? Mrs. Lynch stated no they don't live there, the people that live there haven't paid her in a year. She asked so should we sell it out from under them. Mrs. Shaver asked if they sold it on contract? Mrs. Lynch stated yes, she said she put it in the contract if anything happened to the house they would have to fix it. Mr. Odom stated this is one of the tough situations, your still listed as the owner so your still responsible. If in fact through a contract, you may need to take action with them to force them to do it. But that would be between them and an attorney and however you want to proceed with that. Our main concern is that the health and safety, a blue tarp on a roof is suppose to be temporary fix at best. Mrs. Shaver stated the tarp has been moved but we don't know if that is for ventilation if they are fixing or moving on it. The last thing we saw is that they have just moved the tarp up over the windows. Mrs. Lynch stated his mother lives behind them, and she said that the side of the building fell off or something. Mrs. Shaver stated you are still the person on the record, so anything we do is actually with you not with the person you selling it to. What you will want to do is look at your contract to either sell it all the way to them so we can go through the process with them. Or get an attorney to say this contract is knoll in void because you are not following the contract. We understand your working to get rid of it but as of right now we can only work with you because they aren't the owners. If we say we are going to go put a new roof on and charge you fines, its going to be on you, I just want you to know what could happen. Mr. Odom asked if we give you 30 days, would that be time enough for you to contact them, plan to have them fix the roof? Mrs. Shaver stated since it's already on here, she would just recommend that we continue it. Mrs. Shaver recommends we give them 30 days, which would be the August 2nd meeting and reinspect on July 27th.

Mr. LeDonne motioned to accept that the Board give Mrs. Lynch until the August 2nd meeting for the unsafe structure with reinspection on July 27th. Mr. Seehase seconded the motion; all were in favor.

9644 S 900 E - Phillips

Mr. Koppe stated the owner of this property has done an excellent job on as far as cleaning it up. They had a representative at the last months meeting. Mr. Reed stated they have done a really good job getting this property cleaned up. Mr. Koppe recommends we put this property on the watch list.

Mr. Reed motioned to accept that the Board put Mr. Phillips on the watch list. Mrs. Baker seconded the motion; all were in favor.

2383 N 500 E - Renewanz

Mr. Koppe stated this property has had some issues with the structure of the house, it has since been rectified. They have been cleaned up, windows have been boarded up and doors have been locked. They only issue left is the trash pile. Mr. Koppe recommends that we give them 30 days to get it cleaned up, which would be the August 2nd meeting and reinspect on July 27th. Mr. Odom asked if anyone was at the meeting representing the property. Mr. Renewanz was present and step forward to the microphone. Mr. Renewanz stated as Mr. Anderson stated there are trash piles all over the county. This one here started off with limbs and then people decided to come and dump their own stuff here. Mr. Renewanz stated he doesn't plan on coming back to the next meeting because people keep dumping their stuff off at this spot. I have multiple places throughout the city and continue to work on. This house is sold, I just have to get to it when I get time. Mr. Odom stated the worse thing is it will only continue to get worse, the tree limbs and stuff the easy thing for that is burn it and get rid of it. The problem that has grown now and because its on your property is the other things. Mr. Renewanz stated its one trash pile, not multiple piles. Mrs. Odom stated yes, it's one trash pile but its what's in the trash pile that becomes the issue. Mr. Odom stated what we would like to see you do, try to get that stuff and get rid of it. Mr. Renewanz stated he will not be able to get to it. He stated he has to many things going on, he's got four projects in town that I'm finishing up, I will not get to it this year. The house is sold, so when I can get to it when I can. Mr. Odom asked the house is sold? Mr. Renewanz stated it is sold. Mr. Odom asked so it has a new owner? Mr. Renewanz stated no, I redo homes, I sold it for \$325,000 for 5 acres redone. When I am completely done with the home the new owner will

sign the papers. Mr. Odom stated so until they sign the papers you are currently still the owner. Mr. Odom asked Mr. Rennewanz what his timeline is for completion of the house? Mr. Rennewanz stated they are looking at around February when the house is going to be finished. Mr. Odom asked, everything will be cleaned up by February? Mr. Rennewanz stated yes everything will be cleaned up by February. Mr. Shaver stated to the Board if you feel like things need to be removed, we can remove it. Mr. Odom asked the Board what their feelings are about this property? Do we put it on the watch list until January or February? Mrs. Baker stated she would like the pile to be removed, it's only going to get worse. Mr. Odom stated the problem isn't necessarily you, it's the people dumping stuff. Mr. Seehase stated if he's already fixed the structure, the windows and stuff like that. Mrs. Shaver stated it was called on the house and the pile. Mr. Rennewanz stated the structure has been fixed, the house won't look the same when its done. Mrs. Shaver stated that's fine it's progress and we can move it forward. The problem is the State requires us to bring this to the Board every 60 days and see more progress. He is saying he isn't going to get it done till February, so we aren't going to see progress in 60 days. We have some options we take it off the list and bring it back, we go clean it ourselves or we send it on for 60 days, but he has stated he's not coming back, and he isn't going to get it cleaned up right away. Unfortunately, the State holds us to the timing of how this process works. Mr. Odom asked do we want to give him 60 days, we could issue a fine? After 60 days we could hire somebody to clean it up, that would go against the property taxes. Ultimately you are going to pay for it or you won't be able to sell the property. Mr. Berkshire asked you have no plans on cleaning it up till February? Mr. Rennewanz stated we have one guy that is going out there to mow the lot down for straw/hay. We always have guys, if we can get a day off, we do different things. Mr. Odom asked do you have a sign that states no dumping? Mr. LeDonne asks don't you think if you cleaned it up people wouldn't dump at your property? Mr. Rennewanz stated it's the county, people dump in the ditches.

Mr. LeDonne motioned to accept that the Board give Mr. Rennewanz 60 days to get the trash pile cleaned up, which would be the September 6th meeting and reinspect on August 31st. Mr. Dodt seconded the motion, all were in favor.

NEW BUSINESS: - Unsafe Structures

8879 E 600 S – MG IRA, LLC

Mr. Koppe stated the first picture that the Board saw is like an open ditch. It has an 16-18 inch corrugated tile and it's an open ditch that runs all along there. There are also multiple piles of trash and vehicles. The structure itself doesn't look bad to Mr. Koppe. Mr. Odom asked if anyone was at the meeting representing the property. Mr. Madrigal was present and step forward to the microphone. Mr. Madrigal stated a lot of the trash at this property he is in the process of picking up, this is just a house I picked up. He also has a house he's working on in town so he can sell it. Mr. Madrigal stated he has slowly been able to come to this property to start fixing up. He had someone staying there that was suppose to take care of the property. The person that was staying there has done stuff to the back of the property that he wasn't aware of and ok with. The deal was I was letting him live there and paying him if he kept the property cleaned up and mowed. At the time I had a full-time job so I didn't have time to keep up on the property so I paid him to keep it cleaned up. In that amount of time he had a bunch of tires and trash that Mr. Madrigal has to clean up now. He stated he is the one cleaning the property up now. There are some cars that he has to get rid of still, it's a work in progress. Mr. LeDonne asked if 60 days is enough time to get things cleaned up? Mr. Madrigal stated yes that is plenty of time to get it cleaned up. Mr. Odom asked Mr. Koppe what the main issues were on this property? Mr. Koppe stated the trash piles and the open ditch. Mr. Madrigal is aware of the ditch, he is in the progress of fixing it. Mrs. Shaver stated this is a new case, so typically we would recommend 60 days, which would be brought back to the September 6th meeting and reinspect on August 31st. Mr. Odom stated as long as we see progress, I see you've already been making progress.

Mr. LeDonne motioned to accept that the Board give Mr. Madrigal 60 days to get the trash cleaned up and ditch fixed, which would be the September 6th meeting and reinspect on August 31st. Mrs. Baker seconded the motion, all were in favor.

7304 E. Old US 24 – State of Indiana

Mr. Shaver stated this property was a total loss in a fire. The property is split between the mobile home and garage. The mobile home is on one property and the garage is on the other property which is owned by the State. When we sent the letter out we only sent it to the State and not to Jeremy Toot so we are going to have to resend the letters. We are going to resend the letter for the next meeting. It's a structure fire that we will bring back next month.

40 N. Cedar St - Garver

Mrs. Shaver stated this property is in New Waverly. Mr. Koppe stated we sent the letter to the owner, he has since come in and got a Demo permit. He's going to move forward on the demo of the house. Mr. Odom asked if anyone was at the meeting representing the property. Mr. Garver was present and step forward to the microphone. Mr. Garver stated he got the permit the week before. He has already started tearing it down, its something we've just kept on the back burner. Mr. Odom stated we appreciate you coming in and getting started with a demo permit. It is kind of an unsafe situation and we appreciate you starting the process on the property. Mr. Odom asked Mr. Garver if he had an idea of when he would have the demo completed? Mr. Garver stated he really didn't know when he would have it completed. He stated he's working a few hours a day. Mrs. Shaver stated the staff would recommend that we give them 60 days, which would be the September 6th meeting and reinspect on August 31st to make sure we see movement on the property. Mr. Odom asked Mr. Garver if we give you 60 days do you think you can make significant progress? Mr. Garver stated he has the back porch off and a wall in the kitchen down. Mrs. Shaver stated as long as we see movement that is the important part.

Mr. LeDonne motioned to accept that the Board give Mr. Garver 60 days to make some progress on the demo of the house, which would be the September 6th meeting and reinspect on August 31st. Mr. Berkshire seconded the motion, all were in favor.

1043 N SR 17 – Wilson

Mr. Koppe stated we had a complaint that a utility pole had been broke off and leaning over into the neighbor's yard. This has been fixed and we can take it off. There is another pole leaning but we didn't see it as unsafe at this time. Mrs. Shaver stated that the Board can just deny the order. Mr. LeDonne motioned that the Board deny the order. Mr. Seehase seconded the motion, all were in favor.

9959 E. Main St. – Riley

Mr. Koppe stated this property is on the east end of New Waverly, this is a total loss due to a fire. They are working on this property, when you look at the first initial picture compared to the updated picture they have tore down the center section. They are working on the clean-up, a lot of that debris in the front is gone. Mr. Koppe would give them 60 days, they don't have a demo permit as of yet. They are just getting things moved out of there. Mr. Odom asked if anyone was at the meeting representing the property. Mrs. Royer was present and stepped to the microphone. Mrs. Royer stated they are starting to work on the property, the fire was on May 14th. She didn't get clearance from the fire marshal until June 15th because it was under investigation. Since then Mrs. Royer received the letter from the Board, so she called Mrs. Shaver. The day she got the clearance from the fire marshal she contacted Peru Utilities which was June 15th, they retired the electricity. She also called Nipsco June 16th to retire the gas service, it was completed on June 30th. Mrs. Royer stated that this property is also under legal action so she had to get a clearance from her attorney as well to clear it. She got the clearance on June 17th. I have ordered the dumpsters to be delivered, they will be there on July 11th. The removal crew is on standby, my brother has his own excavating business so he will be going in and doing the removal for us. Mr. Odom stated sounds like you know what you are suppose to be doing. Mrs. Royer stated she doesn't know an exact time frame; her brother plans on starting as soon as the dumpsters get delivered on July 11th. As far as keeping the property safe, the guy that lived there he keeps going back on the property and is taking aluminum out of there. The guy that lived there also has a couple vehicles, he has been notified that he has to have them removed. She has also been checking to see if there is some type of abandonment clause that if the vehicles are left there that they can be removed at the owner's expense. Mr. Odom asked if she needs to get a permit for the demolition? Mrs. Shaver answered yes, she can come to the office and get that after the meeting. Mrs. Shaver recommends the Board give them 60 days just to make sure they are moving forward, which I'm sure they will be, that way we don't have to bring it back. Mr. Royer asked the Board, she is not sure what the foundation is like. Are we going with the 2-foot height? Mrs. Shaver answered, basically if you are going to rebuild then you can keep the foundation if you pull a permit to rebuild. If you're not then what we ask you is if it's a crawl or basement to break up the concrete to back fill it with dirt and seed it. Mr. Royer asked would you recommend for me to get the rebuild permit with me not knowing if they will rebuild on the property again? Mrs. Royer stated she isn't going to be the property owner, she has already signed all the paperwork for the transfer of the property. It's in the attorney's hands, it just has not been recorded. Mrs. Shaver stated I would just let them know, you wouldn't have to do that until it's down to the foundation to pull the permit. Just let them know that they need to come in if they are going to rebuild on that foundation to pull their permit so they can leave the foundation. Mr. Koppe stated they might want to have someone come in and check that foundation as well if they decide to rebuild.

Mr. Berkshire motioned to accept that the Board give Mrs. Royer 60 days to make some progress on the demo of the house, which would be the September 6th meeting and reinspect on August 31st. Mrs. Baker seconded the motion, all were in favor.

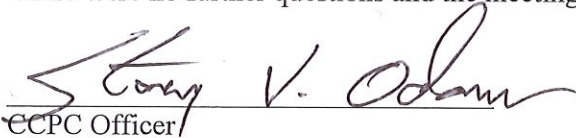
FLOOR IS OPEN TO THE PUBLIC:

Mr. Odom asked if anyone from the public has any comments; Lora Redwick stepped to the microphone. Mrs. Redwick asked is there a description on what public nuisance is? When you were talking on the safe property I believe it was the 122 N 800 W, you were talking about the trash that was exposed on the west on 800. Would public nuisance go under if there was flying debris, and it's going to get into the neighbor's yard if it's not kept. Mrs. Shaver stated the State doesn't have a description for public nuisance, its for each individual as far as if they feel it's a public nuisance. Mr. Odom stated each case will be taken on its own merits depending on what it is, certainly if there would be light debris, trash that is impacting adjoining landowners and things. That would probably be considered a public nuisance. If its not impacting anyone other than the property its on, then we have to evaluate if it's a safety hazard. The Health Dept. could be in play with that depending on what it is. Each case would have to be on its own merits.

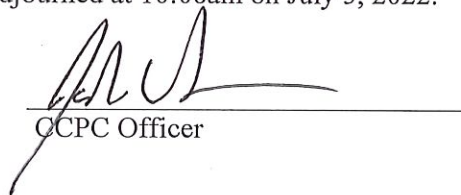
Mrs. Shaver handed the Findings of Facts to the Board to have filled out for each property. We have six findings of Facts to fill out, this is not a State requirement, you can take these or do them here at the meeting. This is new for you and for us. You should have three unsafe structures and three unsafe properties. Mrs. Shaver explained how to fill out the Findings of Facts to the Board. There were no further questions.

ADJOURNMENT:

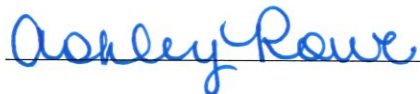
There were no further questions and the meeting was adjourned at 10:08am on July 5, 2022.



CCPC Officer



CCPC Officer


_____, Ashley Rowe, Recording Secretary