

MINUTES
CASS COUNTY PLAN COMMISSION
Tuesday September 6, 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, Jim Donato, Krista Pullen and Gary Berkshire

Member absent: Zach Dodt, Fred Seehase and Brian Reed

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 August 2, 2022 were presented. Mr. Donato motioned to approve as presented. Mrs. Baker seconded the motion; all were in favor.

PUBLIC HEARING: None

REPORTS: Safe Property

2311 Capital St – Aceredo-Ortiz

Mr. Koppe stated this property was put on the wrong month, so they will be brought back to the October meeting.

5111 E 75 N – Hamilton

Mr. Koppe stated they had a camper, a couple boats leaning up against the garage and snow plow setting next to the house. Mr. Koppe did not feel that this property was unsafe. Mr. Donato asked Mr. Koppe if he considers this property safe. Mr. Koppe recommends this property be considered safe.

Mr. Donato motioned to accept Mr. Koppe's recommendation to consider this property safe. Mr. LeDonne seconded the motion; all were in favor.

9037 S 300 E – Sprinkle

Mr. Koppe stated the property itself was not considered unsafe to him, he felt that it needed a little bit of maintenance but he did not consider it unsafe. Mrs. Shaver stated the only thing we were questioning whether the Board wanted to do anything was how close they were parking next to the road. Mr. LeDonne stated he has never seen anybody at the property, but they have kept the grass mowed. Mr. LeDonne asked if there was a hole in the roof, Mr. Koppe stated no it's the eavestrough that's falling off. On the front of the house facing the south, there is part of the eavestrough that is coming off, but that is part of the maintenance that needs done on the house. Mrs. Shaver stated there are a couple vehicles but it's not right at the intersection. Mr. Koppe stated the initial complaint on this property was from a neighbor was worried about racoons and other animals coming from the property onto their property.

Mr. Donato motioned to accept Mr. Koppe's recommendation to consider this property safe. Mr. LeDonne seconded the motion; all were in favor.

OLD BUSINESS:

Unsafe Property

Banter Certify Lien

Mrs. Shaver stated the Banter property we cleaned up, we were charged \$7,050. We have done all the letters letting them know to pay it, if its not paid it will go on the property taxes. We are just wanting to certify this lien so we can record it and put it on the property taxes.

Mr. LeDonne motioned to accept to certify the Banter lien. Mrs. Baker seconded the motion; all were in favor.

1705 Cliff Dr - Anderson

Mr. Koppe stated this property is one we talked about at the last meeting. He has done some work on this property, he has moved some things around. He has moved things back further away from the road, he is working on vehicles. Mr. Koppe stated we recommend the 60 days which is November 1st meeting, reinspect on October 26th. Mr. Odom asked the area out by the road is pretty well cleaned up and moved back? Mr. Koppe stated everything is moved back off the road. Mrs. Shaver stated everything in the front of the property that we discussed with him at the last meeting he has been working on.

Mr. LeDonne motioned to accept that the Board give Mr. Anderson 60 days to make some more progress, which would be the November 1st meeting and reinspect on October 26th. Mr. Donoto seconded the motion; all were in favor.

2383 N 500 E – Renewanz

Mr. Koppe stated Mr. Renewanz has started to make progress on this property. He has a machine on the property to start moving stuff around and continue to clean up. He is trying to fill in the ravine to make it safer. Mr. Koppe recommends the 30 days, which is the October 4th meeting, reinspect on September 28th. If not completed at that time a possible \$2,000 fine. Mr. Odom asked Mr. Renewanz if he has any issues with this timeline? Mr. Renewanz stated no he does not, he stated he is working on it.

Mrs. Baker motioned to accept that the Board give Mr. Renewanz 30 days to make some more progress, which would be the October 4th meeting and reinspect on September 28th. Mr. Berkshire seconded the motion; all were in favor.

8879 E 600 S – MG IRA, LLC

Mr. Koppe stated this property has made a lot of progress. If you remember the first pictures where the stone is at now and the two sections of stone there was a big pile of trash that he has removed. He has fixed the tile in the ditch also. He is moving forward on this property, he has done quite a bit. We would like to recommend 60 days, which is the November 1st meeting, reinspect of October 26th. Mr. Odom asked if anyone is present for this property, Reynaldo Madrigal was present. Mr. Madrigal stated he is working on this property, he has other properties he is working on also, but he will continue to clean this one up as well.

Mr. Donoto motioned to accept that the Board give Mr. Madrigal 60 days to make some more progress, which would be the November 1st meeting and reinspect on October 26th. Mr. LeDonne seconded the motion; all were in favor.

Mr. Madrigal asked the Board what they recommend, he has a neighbor that has had a camera pointed in the direction of his property for a couple years. The other day Mr. Madrigal was out cleaning his property and the neighbor had something pointed towards his property, he had also noticed this neighbor has trespassed on the other neighbor's property, he doesn't know if he was recording something. He wondered how he would take care of something like that? The Board recommended the neighbor calling the Sheriffs Department on this matter.

5788 N SR 25 – MH Realty, LLC

Mr. Koppe stated this property we had discussed in our last meeting. We asked him to contact us on what his plans are for this property. Austin Lincoln is here at the meeting. We would like to recommend 30 days, which is the October 4th meeting, reinspect on September 28th. If he has not done anything with this property do a possible \$2,000 fine at the next meeting. Mr. Odom asked Mr. Lincoln to come to the microphone to state his name. Mr. Lincoln stated the property looks way different now, he stated the picture was from a year ago. 3 or 4 of the trucks have been scraped, 3 of the trucks are for his LLC business, he allows his employees to drive them. He does have them on the edge of the property line. At first it was a conflict with the farmer next to his property, he wanted them 5 foot from his property. Mr. Lincoln has moved the vehicles back away from the property line, he stated he has put new gravel down. Mr. Lincoln stated he is on home detention right now, so he can't take anything else in. Around Christmas time he takes scraps in that he gets from jobs, that's what we use for Christmas for our kid. Mrs. Shaver stated you have requested us not take pictures of the property? Mr. Lincoln stated he didn't want Mr. Koppe to take pictures of his property while he wasn't there. Mrs. Shaver asked if Mr. Lincoln could get with

Ralph so he can take pictures? Mr. Lincoln stated the day Mr. Koppe went out to take pictures it was really muddy on the property, with all the equipment it gets pretty muddy. Mr. Odom asked if he has a pretty good understanding of what the Planning Dept. is asking for you to do? Mr. Lincoln stated no, his understanding from the letter it said vehicles and continue to clean up, the scrap he is continuing to take in and get rid of. Mrs. Shaver stated with giving you 30 days with a possible of \$2,000 fine, in the next 30 days we can have Ralph come out and take some pictures of the property. Mr. Lincoln agreed to the plan, Mr. Odom stated if you have any questions make sure you contact the Planning Dept. Mr. Lincoln wanted to make sure he understands, all the Board wants to do is come to my property in the next 30 days to take pictures and see the progress I've made? Mrs. Shaver stated as long as we have seen movement we don't usually assess the \$2,000 fine, we just keep working with you. What we will do is have Ralph go to your property, and he will explain what needs to be taken care of. Mr. Koppe will take some pictures of the property and bring them back to the Board, they will then look at them and determine if the property still needs some work. If the Board decides your property still needs some work, they will work with you on giving you another 30 days.

Mr. Donoto motioned to accept that the Board give Mr. Lincoln 30 days to make some more progress, if no progress there will be a possible \$2,000 fine, which would be the October 4th meeting and reinspect on September 28th. Mrs. Baker seconded the motion; all were in favor. Mr. LeDonne is recused from the vote.

Unsafe Structure

40 Cedar St – Garver

Mr. Koppe stated this property is completely done, the property looks very nice. Mr. Koppe recommends we remove this property from our list.

Mr. LeDonne motioned to accept that the Board take Mr. Garver off of our unsafe list. Mrs. Baker seconded the motion; all were in favor.

9959 E. Main St – Royer

Mr. Koppe stated this property is completely done, the property looks very nice. Mr. Koppe recommends we remove this property from our list.

Mr. LeDonne motioned to accept that the Board take Mrs. Royer off of our unsafe list. Mrs. Baker seconded the motion; all were in favor.

319 Northern Ave – Lynch

Mr. Koppe stated this property has had no change. Mr. Koppe recommends we give them 30 days, which will be the October 4th meeting, reinspect on September 26th and assess a \$2,000 fine at this time. At the next meeting if they have not made any progress there will be a possible \$1,000 fine at the October 4th meeting. Mrs. Shaver reminded the Board that at the last meeting if the owner had not fixed the problem the next meeting the Board would assess the \$2,000 fine. Mr. Odom asked if the owner has contacted the Planning Department? Mr. Koppe stated they have not contacted himself or the Planning Department. Mr. Koppe stated it is actually a little worse than the last meeting. The newest storm that went through knocked some trees down on the property. Mrs. Shaver stated the last meeting she had mentioned she is trying to sell this property, she evicted her renters. Mr. Odom asked if there was anyone living there? Mr. Odom stated at the last meeting he recalls that was part of the issue, trying to get the renters out. Mrs. Shaver stated it's her understanding that she got the renters out, we gave her 30 days to make some improvements with the home or a possible \$2,000 fine. Mr. Koppe stated that Mrs. Shaver and himself discussed getting estimates to put a roof on the house, but we will need to be able to get in the home to see if there is any further damage on the inside. Mrs. Shaver stated we can ask them if we can have access to the home, they have received the letters we've sent but they have not contacted us. If it is a case of we can't get access we can go to the court and ask to be let inside. If that is something the Board wants us to work on, we can send the letter to ask her for access. Mrs. Shaver stated we don't understand why the tarp is on the roof, because it's just covering it. We assume it's the roof but we don't know the problem for sure. Mr. Odom stated if they have an issue with the structure they need to take care of it.

Mrs. Baker motioned to accept that the Board give them 30 days, which will be the October 4th meeting and assess a \$2,000 fine. At the next meeting if they have not made any progress there will be a possible \$2,000 fine. Mr. LeDonne seconded the motion; all were in favor.

NEW BUSINESS: - Unsafe Structures

2215 E. River Rd – Elliott

Mr. Koppe stated this property does not have pictures, the owner didn't want Mr. Koppe to take pictures of the property. The complaint about this property is the number of vehicles on the property. Mr. Koppe recommends the Board give them 60 days, which would be the November 1st meeting and reinspect on October 26th with a possible \$2,000 fine if the vehicles are not removed. Mr. Odom asked so the primary concern about this property is the number of vehicles? Mr. Koppe stated yes that is what the main complaint was. Mr. Musselman asked Mr. Koppe if he had spoken to Mr. Elliott? Mr. Koppe stated no. Mr. Musselman stated he can get Mr. Elliott's contact information. Mrs. Shaver stated Mr. Elliott did sign for the letter that has our contact information on it, we can try to contact him. Mr. Odom asked if anyone was in the audience to represent this property, Dan Elliott approached the microphone. Mr. Elliott has been working on the property every day, he has someone interested in the property so he has been trying to get things cleaned up. Mr. Odom stated the main concern are the vehicles on the property.

Mr. LeDonne motioned to accept that the Board give Mr. Elliott 60 days to make progress on the property, which would be the November 1st meeting and reinspect on October 26th with a possible \$2,000 fine. Mrs. Baker seconded the motion, all were in favor.

2315 Capitol St – Bartolome

Mr. Koppe stated the gentleman at this property collects wood, splits it and stacks it to use for bonfires at family gatherings. He is in the process of splitting the wood and getting it organized into stacked piles. Mr. Koppe recommends the Board give him 60 days, which will be the November 1st meeting, reinspect on October 26th. Mr. Odom asked if there was someone to represent the property, Bart Martin (Alejandro Martin was the interpreter) was in attendance. Mr. Martin stated he is in the process of getting the property cleaned up.

Mr. LeDonne motioned to accept that the Board give 60 days, which would be the November 1st meeting and reinspect on October 26th to see progress. Mr. Berkshire seconded the motion, all were in favor.

10958 E CR 1300 S – Gupta

Mr. Koppe stated the complaint was about vehicles on the property. They only have two vehicles left on the property as of today. Mrs. Shaver stated since this property is new, the Board can deny the order. Mr. Koppe recommends this property be put on the watch list.

Mr. LeDonne motioned to accept that the Board put 10958 E CR 1300 S on the watch list. Mr. Berkshire seconded the motion, all were in favor.

2301 Capital St – Grandstaff

Mr. Koppe stated Mr. Grandstaff is working on getting things cleaned up. He is loading up some stuff and hauling it away. Mr. Koppe recommends that the Board give him 60 days, which would be the November 1st meeting, reinspect on October 26th. Mr. Odom asked if anyone in here to represent this property, Josh Grandstaff approached the microphone. Mr. Grandstaff stated he got the tow truck off the property; the grass is cut now. Mr. Grandstaff asked what else the Board what all needs to be done. Mr. Koppe stated he needs to organize the piles on his property, the trailers can be organized on the property. Mrs. Shaver asked if the mobile home is being used? Mr. Grandstaff stated if any of his employees need to use the restroom they use the mobile home restroom. Mrs. Shaver stated as long as it's hooked up to a preexisting septic, it should be fine. Mr. Koppe stated he has done a lot to the property.

Mr. LeDonne motioned to accept that the Board give 60 days, which would be the November 1st meeting, reinspect on October 26th. Mrs. Baker seconded the motion, all were in favor.

1976 W CR 600 N – Quaglio

Mr. Koppe stated in the beginning the gentleman didn't want Mr. Koppe to take pictures. Mr. Quaglio has done an amazing job on cleaning up this property. Mr. Koppe stated he still has a lot to do, which he knows. Mr. Koppe

recommends the Board give him 60 days, which would be the November 1st meeting and reinspect on October 26th. Mr. Koppe stated the owner plans on planting grass.

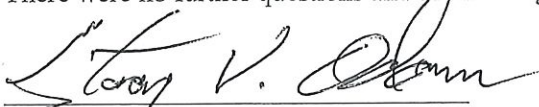
Mr. LeDonne motioned to accept that the Board give 60 days, which would be the November 1st meeting, reinspect on October 26th. Mr. Berkshire seconded the motion, all were in favor.

FLOOR IS OPEN TO THE PUBLIC:


Mr. Odom asked if anyone from the public has any comments; John Wilson, 5028 E Country Club Rd. He has a house that has been abandoned, the couple passed away. He called Guardian Assess Management Company, they will not return his call. The property is located at 5052 E Country Club Rd, Mr. Wilson called to see if someone could come and cut the grass. About 4 of his neighbors have been cutting a little more so it stays off of our property lines. Mr. Wilson has the address and case number. The complaint is the grass and weeds on the property. Mrs. Shaver asked Mr. Musselman if he has heard anything about this property? Mr. Musselman stated no he has not heard anything about this property. Mr. Wilson asked the Board if they could get ahold of them, that would be great. Mrs. Shaver stated we can have Mr. Koppe and Mr. Musselman take a look at this property.

ADJOURNMENT:


There were no further questions and the meeting was adjourned at 9:28 am on September 6, 2022.



CCPC Officer



CCPC Officer


_____, Ashley Rowe, Recording Secretary

