

**MINUTES**  
**CASS COUNTY PLAN COMMISSION**  
**Tuesday September 5, 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 2<sup>nd</sup> floor of the Cass County Government Building.

**ROLL CALL:**

Members present: Josh LeDonne, Gary Berkshire, Fred Seehase, Stacy Odom, Ruth Baker, Derek Pullen and Jim Donato

Member absent: Zach Dodt

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 1, 2023 were presented. Mr. Berkshire motioned to approve as presented. Mrs. Baker seconded the motion; all were in favor.

**PUBLIC HEARING:** None

**REPORTS:**

Safe Property

2210 S. Capitol St – Garcia

Mr. Koppe stated this property we sent a letter for them to come to the next meeting, which will be the October 3<sup>rd</sup> meeting. The Board agreed.

2315 Capitol St – Bartolome

Mr. Koppe stated with this property he is not sure what the complaint was on this property. Mr. Koppe stated there are some things that need to be done but it is not unsafe.

2301 Capitol St – Grandstaff

Mr. Koppe stated this property we had brought to the Board already and cleared it. Mr. Koppe stated that it looks the way it did when the Board cleared it. Mrs. Shaver recommended that the Planning Dept send them a letter about the tires laying around and the mattress needs to be cleared from the property. The Board agreed with Mrs. Shaver.

2331 Capitol St - Wiggins

Mr. Koppe stated that he didn't really see anything at this property. Mr. Koppe doesn't consider unsafe. The Board agreed.

2311 Capitol St – Aceredo-Ortiz

Mr. Koppe stated this property is one we cleared already, it's the property that had the car upside down. The way it is right now is the way we cleared it. There are 3 vehicles there that he is working on that seem to be his. Mr. LeDonne asked 3 is the number he can have right? Mrs. Shaver stated yes, he is allowed to have 3 vehicles. Mr. Koppe stated that the biggest issue was the upside-down vehicle which he got rid of. The Board agreed.

**OLD BUSINESS:**        Unsafe Property

1031 Lynas St – Caudillo

Mr. Koppe stated this property is done, they cleared up the big piles behind the house and all other piles are cleaned up. Mr. Koppe recommends that we clear this property off the list.

Mrs. Baker made a motioned to remove this property from our list. Mr. Berkshire seconded the motion; all were in favor.

### 122 N CR 800 W – Davis

Mr. Koppe stated that Dan Musselman had a meeting with Mr. Davis, Mr. Koppe wasn't able to make that meeting. Mr. Koppe recommends that we give him 60 days which would be November 7<sup>th</sup>, reinspect on November 1<sup>st</sup> with a possible fine of \$2,000 if the property is not cleaned up. Mrs. Shaver stated Mr. Davis has moved back into the area to help get this property cleaned up. Mr. Koppe stated that Dan Musselman would have more information about this property. Mr. Musselman stepped to the microphone, he stated that Mr. Davis has recently moved back to the property. Mr. Davis has made a commitment to get the property all cleaned up, Mr. Musselman would recommend that if he doesn't get the property cleaned up that we fine him. This property has been in this state since 2018, it's just getting worse. Mr. Musselman told Mr. Davis if he didn't get the property cleaned up in 30 days that Mr. Musselman would be back. Mrs. Shaver stated that her recommendation would be to have them come back to the November 7<sup>th</sup> meeting, reinspect on November 1<sup>st</sup> if not cleaned up with a possible \$2,000 fine, unless the Board wants to have him come back in 30 days. Mr. Koppe stated that he feels like 30 days just isn't enough time to get this cleaned up and work for a living. Mr. LeDonne stated that we could have Mr. Koppe go out to the property in 30 days, check on it and make sure he is making progress. Mrs. Shaver stated that if the Board wants to do that it would be the October 3<sup>rd</sup> meeting, reinspect on September 27<sup>th</sup>. Mrs. Baker made a motion to check the property in 30 days. Mrs. Shaver asked if the Board wanted to do a possible fine if the property isn't cleaned up? Mrs. Baker stated that is up to the Board.

Mrs. Baker motioned to give him 30 days which would be the October 3<sup>rd</sup> meeting, reinspect on September 27<sup>th</sup> with a possible \$2,000 fine. Mr. Pullen seconded the motion; all were in favor.

### 1696 S Georgetown Market – Harding

Mr. Koppe stated that Mr. Harding has come a long way, he still has some stuff to do. There are a couple burn piles, he is down to 2 vehicles which he is allowed to have. Mr. Koppe recommends that we give him 60 days to finish getting things done, which would be the November 7<sup>th</sup> meeting, reinspect on November 1<sup>st</sup> with a possible \$1,000 fine. Mrs. Shaver stated the only reason we said to keep the \$1,000 fine is because it was on the last letter we sent, so typically when we already told him that we keep with that and push out the fine. He is almost done. There are just a couple burn piles. Mr. Koppe stated the burn pile he is more concerned about is the one by the road. Mrs. Shaver stated it's totally up to the Board to clear it, he has done a really good job cleaning it up. Mr. Koppe stated that at one time there was 4 or 5 vehicles sitting there at one time. Mr. LeDonne stated that they recommended 60 days. Mrs. Shaver added that you can clear it or give them 30 days it's up to whoever wants to make the motion. Mrs. Baker stated that she would say 30 days to check and make sure things are getting cleaned up with a possible \$1,000 fine. Mrs. Shaver stated that 30 days would be the October 3<sup>rd</sup> meeting, reinspect on September 27<sup>th</sup>.

Mrs. Baker motioned to give them 30-days to finish with cleanup, which would be the October 3<sup>rd</sup> meeting, reinspect on September 27<sup>th</sup> with a possible \$1,000 fine. Mr. Berkshire seconded the motion; all were in favor.

### 316 Lawn St – Henderson

Mr. Koppe stated this property has come a long way, the property is pretty much cleaned up. Mr. Henderson has moved his fence out of the way, the pictures is what it looks like now. Mr. Koppe recommends that we clear Mr. Henderson off the list.

Jason Henderson, 316 Lawn St stepped to the microphone. Mr. Henderson stated that he has done a lot of cleaning up. Mr. LeDonne thanked Mr. Henderson for cleaning up his property.

Mr. Donato motioned to accept that the Board take them off our list. Mr. Berkshire seconded the motion; all were in favor.

### 51 N 400 W – Musselman

Mr. Koppe stated at this point it's done, Mr. Musselman had done everything that we asked him to do that we can tell since he won't let us on the property. We sent pictures to Mr. Musselman of everything that needed to be done, it appears he completed it. But on the other hand, Mr. Koppe thinks that over the weekend a lot of stuff that was in the house came out of the house in the yard. Mrs. Shaver stated that Mr. Musselman is here today, we didn't know if he sold the house and they were cleaning it out or if he is cleaning it out.

Robert Musselman, 51 N CR 400 W stated that as of September 1<sup>st</sup> he sold the house to somebody so they were working on it. He hasn't done all the paperwork on it yet, but they are working on it. Mr. Musselman stated that it isn't mine anymore. He stated he thought it was fine a long time ago. Mrs. Shaver stated two things on that, we have started to assess the fine but haven't recorded it, so if the Board wants to clear them. And two if the Board wants to clear the property and just keep an eye as the new owner are cleaning it up. Mr. Musselman stated that the new owner lives out of state in Tennessee, so they came up this weekend to work on the property. Mrs. Shaver asked do we want to clear it and work with the new property owners and to clear all the fines that we were in the process of assessing?

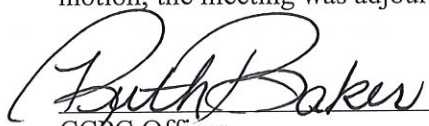
Mr. Seehase motioned to clear it off the list and clear the fines that were being assessed. Mr. Berkshire seconded the motion; all were in favor.


NEW BUSINESS: None

FLOOR IS OPEN TO THE PUBLIC: None

ADJOURNMENT:

There were no further questions, Mr. Berkshire motioned to adjourn the meeting. Mrs. Baker seconded the motion, the meeting was adjourned at 8:50 am on September 5, 2023.

  
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CCPC Officer

  
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CCPC Officer

  
\_\_\_\_\_, Ashley Rowe, Recording Secretary