

Wabash County Plan Commission

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Wabash County Plan Commission Board – Meeting Minutes

Board Members: Randy Curless, Jeff Dawes, Sam Hann, Mark Milam, Doug Rice, Mike Ruse, Geoff Schortgen, Cheri Slee, Joe Vogel

Staff: Mark Frantz, Board Attorney; Brian Campbell, Plan Director; Jennifer Hicks, PC Secretary

Thursday, April 3, 2025

1. Call To Order

Mr. Randy Curless, PC Chairman called the meeting to order at 7:00 pm.

2. Roll Call

Jennifer Hicks, PC Secretary, called roll:

- ✓ Randy Curless – *present*
- ✓ Jeff Dawes – *present*
- ✓ Sam Hann – *absent*
- ✓ Mark Milam – *present*
- ✓ Doug Rice – *present*
- ✓ Mike Ruse – *present*
- ✓ Geoff Schortgen – *present via Zoom*
- ✓ Cheri Slee – *present*
- ✓ Joe Vogel – *present*

Jennifer Hicks declared a quorum was present.

3. Approval of Meeting Minutes – March 6, 2025

The Minutes from the March 6, 2025 meeting were presented. Mr. Doug Rice made a motion to approve the minutes as written. Mr. Joe Vogel seconded the motion.

Jennifer Hicks called roll:

- ✓ Randy Curless – *yes*
- ✓ Jeff Dawes – *yes*
- ✓ Mark Milam – *yes*
- ✓ Doug Rice – *yes*
- ✓ Mike Ruse – *yes*
- ✓ Cheri Slee – *yes*
- ✓ Joe Vogel – *yes*

The motion passed unanimously.

4. Approval of Meeting Minutes – March 20, 2025

The Minutes from the March 20, 2025 meeting will be voted on at the May 1, 2025 meeting.

5. Monthly Reports

- ❖ Mr. Brian Campbell provided the monthly report for February and March including the improvement location permit activity and financial reports. This was for informational purposes only, no action/motion was required.

6. Old Business

- ❖ **Mr. Randy Curless, Chairman, made a request to move carbon sequestration to the first item on the agenda** – Mr. Campbell provided a summary of what is needed for the initiation of the carbon sequestration moratorium proposal initiation. Mr. Rice made a motion to move forward with the carbon sequestration moratorium proposal process. Mr. Mark Milam seconded the motion.

Jennifer Hicks called roll:

- ✓ Randy Curless – yes
- ✓ Jeff Dawes – yes
- ✓ Mark Milam – yes
- ✓ Doug Rice – yes
- ✓ Mike Ruse – yes
- ✓ Cheri Slee – yes
- ✓ Joe Vogel – yes

The motion passed unanimously.

- ❖ **Unsafe Premise Order – 25 N Perch Dr, Mary Chandler, et al.**

- No update was available, approval is needed from the courts to be able to move forward with accepting bids for demolition and clean-up.

- ❖ **Ordinance Review – Banning Engineering**

- Ms. Hicks provided an update, the PC Office met with Mary Strawder on April 2, 2025. She is working through the ordinance and will be providing the office with more details regarding needed updates within the next few weeks.

- ❖ **SE-25-002 – Property Owner, Lagro Township**

- Mr. Campbell provided a summary of the request. The owners of the property are requesting permission to build a pond on their property. All setbacks are met. The drainage board approved the pond in the location provided. No variances are needed.
- Mr. Rice made a motion to approve the Special Exception for a pond. Cheri Slee seconded the motion.

Jennifer Hicks called roll:

- ✓ Randy Curless – yes
- ✓ Jeff Dawes – yes
- ✓ Mark Milam – yes
- ✓ Doug Rice – yes
- ✓ Mike Ruse – yes
- ✓ Cheri Slee – yes
- ✓ Joe Vogel – yes

The motion passed unanimously.

7. New Business

- ❖ **Unsafe Premise Order – 57 E Geary St, Ijamsville – Miriam Ann Linkenhoker, Patrick Michael Linkenhoker, Anna R. Putch, and Franchesca Nicole Herrera Linkenhoker**

- Ms. Miriam Linkenhoker and Mr. Patrick Linkenhoker were present. Mr. Campbell provided a summary of the unsafe premise order. Mr. Mike Howard, former Plan Commission Director, had started the process of an unsafe premise order, but didn't get it officially filed. The property was not on the complaint list when Mr. Campbell started as Plan Commission Director. A complaint was received in the PC Office which launched an internal search locating the initial files and information from 2019. Mr. Campbell stated a lien search was performed to confirm all interested parties were notified of the unsafe premise.
- Mr. Vogel asked if anyone was living on the property. Ms. Linkenhoker stated no one is living on the property. She has been sick. She knows the property needs to be cleaned up and the house needs to be removed. She was, however, contesting the time limits of the unsafe premise order. She is wanting to potentially save one of the buildings on the property. She does not believe 60 days is a justifiable time limit. Ms. Linkenhoker showed the board a picture of the property on her phone.
- Mr. Milam asked Ms. Linkenhoker how long she felt she would need to be able to clean up the property. Mr. Patrick Linkenhoker stated that 60 would be close. Ms. Linkenhoker stated 6 months would likely be acceptable. Mr. Linkenhoker stated that the recent rain has hampered the clean-up process. Ms. Linkenhoker stated that she was unable to go to the property at all in 2024 due to medical conditions. She had paid someone to clean up the property but it didn't get done. She also stated that people have stolen electrical cords they had ran on the property.
- Mr. Vogel asked if the Linkenhoker's would be able to have the property cleaned up by July. Ms. Linkenhoker stated that possibly could be done, but then asked if there were delays if an extension could be given. Mr. Campbell stated, yes, an extension could be given. He went on to state that changing the current unsafe premise order from 60 days to July 1, would require a modification vote from the board. If the property is not completed by July 1, 2025, the Linkenhoker's would have to come back before the board to explain and justify why it isn't completed. Ms. Linkenhoker stated she spoke with Mr. Howard about bringing down the house. Mr. Milam asked about the building Ms. Linkenhoker wanted to save, if it was subject to the unsafe premise order. Mr. Campbell stated the house is the main concern right now, the garage might be salvageable with some work. Ms. Linkenhoker stated the roof needed to be replaced on the garage/barn, but other than that it should be able to be saved.
- Mr. Vogel made a motion to modify the unsafe premise order to allow until July 1, 2025 for demolition of the residential structure. Mr. Rice seconded the motion.

Jennifer Hicks called roll:

- ✓ Randy Curless – yes
- ✓ Jeff Dawes – yes
- ✓ Mark Milam – yes
- ✓ Doug Rice – yes
- ✓ Mike Ruse – yes
- ✓ Cheri Slee – yes
- ✓ Joe Vogel – yes

The motion passed unanimously.

❖ **Unsafe Premise Order – 140 W Sims St, Servia – Loretta Sue & Ezra Lynn Gahl**

- Mr. & Mrs. Gahl along with some of their grandchildren were present to speak regarding the unsafe premise order.
- Mr. Campbell provided a summary of the property. There was a complaint made to the PC Office in April 2020 regarding the mobile home on the property. An unsafe premise order filed on the property in May 2020 Mr. Mike Howard. The unsafe premise order was filed against Mr. & Mrs. Gahl, as well as Elza & Karelia Gose. Mr. Campbell continued by stating the attorney for Mr. & Mrs. Gahl contacted Mr. Howard regarding transferring the deed from Mr. & Mrs. Gose to Mr. & Mrs. Gahl following the completed real estate contract. Mr. Stoops, attorney for Mr. & Mrs. Gahl, filed a Complaint for Declaratory Judgement as to Title Real Estate on January 10, 2023 with the Wabash County Circuit Court stating the plaintiff's (Mr. & Mrs. Gahl) "have, in fact, cleaned up the property, by removing the mobile home and other debris." Mr. Campbell stated this was not factual and due to the timing of the previous unsafe premise order, along with the issues with changing the deed from Mr. & Mrs. Gose to Mr. & Mrs. Gahl, a new unsafe premise order needed to be filed. A lien search was performed and certified letters sent to all parties with interest in the property.
- Mr. Vogel asked Mr. & Mrs. Gahl what their plans were for the property. Mrs. Gahl stated she had never seen anything and never been to court regarding this property and didn't know what any of that was about. She continued by stating that they had purchased the property on contract that was paid off in 2008, but was just able to finally get the property into their name. Mr. Vogel stated that Mr. & Mrs. Gahl had never been before the Plan Commission previously.
- Mrs. Gahl stated they are trying to clean the property up; they have worked 7 days a week for the past 3 years. Mr. Gahl showed a receipt stating a roll-off dumpster would be delivered the following day to start cleaning more of the property up. Mrs. Gahl stated that receiving the unsafe premise order was upsetting and didn't understand why they received the order.
- Mr. Vogel asked again what the plans were for the property. Mrs. Gahl stated they are wanting to put another modular on the property for a family member. She stated the information provided by the Plan Commission was not true. Mr. & Mrs. Gahl's daughter stated that her parents had fought with 2 different attorneys to get the property into their name. Mr. Milam asked who the attorneys were. Mrs. Gahl answered Joel Stein and Elden Stoops.
- Mr. Campbell once again referred to the Complaint for Declaratory Judgement as to Title of Real Estate stating the property was cleaned up. Mrs. Gahl stated that her attorney told her not to do anything on the property until the deed was in their name. Mr. Vogel again asked what the plan was for the property and the timeline for getting the property cleaned up. Mrs. Gahl stated they would be getting a skid loader and dumpster the following day and would be working to clean up the property. Mr. Vogel asked if they thought they could get the property cleaned up by July 1, 2025.
- Mr. Campbell stated the main concern was the fact there were large holes in the roof that need taken care of, they had been there for a long time. Mrs. Gahl stated the floor is pretty much completely gone inside. She continued by

saying that she had to wait until the deed was in their name, and they had been doing a little bit of work at a time to get the property cleaned up.

- Mr. Campbell stated there are potential issues with replacing the mobile home that is currently on the property. With the current zoning ordinance, in areas without a regional sewer system, there needs to be a minimum of 1 ½ acres and room for a proper septic system, approved by the Wabash County Health Department. The PC Office cannot give a permit for a new structure until the health department approval and setbacks are met. Mrs. Gahl stated it would cost more to fix it then it is worth, and they were planning to put another trailer or modular on the property. Mr. Campbell went on to explain the current mobile home was actually not completely on the property, it was half off the property and into the right of way. No new structure would be able placed in the same location due to not being on the property. Mrs. Gahl stated at one point they were told they could have the septic on one side and the house on the other. Mr. Campbell again explained there are setbacks between a septic and property lines would need to be taken into account before anything else could be brought on to the property. Mr. Vogel asked if a modification was needed. Mr. Campbell stated it depended on what the board wanted.
- Mr. Vogel made a motion to modify the unsafe premise order to allow until July 1, 2025 for demolition and clean up. Mr. Milam seconded the motion. Jennifer Hicks called roll:
 - ✓ Randy Curless – yes
 - ✓ Jeff Dawes – yes
 - ✓ Mark Milam – yes
 - ✓ Doug Rice – yes
 - ✓ Mike Ruse – yes
 - ✓ Cheri Slee – yes
 - ✓ Joe Vogel – yesThe motion passed unanimously.

❖ Review of Mowing Bids for Residential Mowing Complaints

- Mr. Campbell provided a brief summary of mowing bids. Letters were sent out to every mowing company that the office was able to find. Four proposals were received. Mr. Campbell passed them around to the board members to look at. He stated that we could take action tonight or take the bids under advisement and decide at the May meeting.
- Ms. Slee made a motion to take the bids under advisement. Mr. Vogel seconded the motion. Jennifer Hicks called roll:
 - ✓ Randy Curless – yes
 - ✓ Jeff Dawes – yes
 - ✓ Mark Milam – yes
 - ✓ Doug Rice – yes
 - ✓ Mike Ruse – yes
 - ✓ Cheri Slee – yes
 - ✓ Joe Vogel – yesThe motion passed unanimously.

❖ Fee Schedule Modification

- Mr. Campbell provided an update to the board regarding the fee schedule for Special Exceptions, Variance, Rezones, and Vacations. Currently the PC Office collects payment after the application is filed and the mailers and legal ad are submitted. The current ordinance says that payment is supposed to be collected prior to accepting the application. The PC Office is proposing a flat fee for the variances, special exceptions, rezones, and vacation to streamline the process and assure that the office practices are in line with the ordinance.
- Mr. Dawes stated he would like to see a process that is as easy as possible. Mr. Campbell agreed. Mr. Campbell stated there is no cost prior to the PC meeting, but the fees are for the BZA meeting. Due to the way its currently set up a person can go through the start of the process, attend the PC meeting, the office can submit the newspaper legal ad and send the mailers then not pay or show up for the BZA meeting, causing the PC Office to not be paid for the work completed.
- Mr. Dave Terflinger asked if a deposit could be required. Mr. Campbell stated that could be an option.
- Mr. Mike Ruse asked if there was a fee for Special Exceptions. Mr. Campbell explained that there is an application fee, then reimbursement for the legal ad and mailers that are required by Indiana law. Due to not knowing the exact cost until the legal ad and mailers are completed, the current fee structure doesn't allow for payments at the time of the application. Therefore, the fee notices are sent prior to the BZA meeting and nothing is paid prior to the PC meeting.
- Mr. Campbell stated that again we can accept a motion or take this under advisement.
- Mr. Ruse made a motion to table the fee schedule modification until the next meeting. Mr. Dawes seconded the motion.

Jennifer Hicks called roll:

- ✓ Randy Curless – yes
- ✓ Jeff Dawes – yes
- ✓ Mark Milam – yes
- ✓ Doug Rice – yes
- ✓ Mike Ruse – yes
- ✓ Cheri Slee – yes
- ✓ Joe Vogel – yes

The motion passed unanimously.

8. Other Business

❖ Countywide Complaint Update

- Mr. Campbell provided a complaints update. There are currently 54 open complaints, 53 were rolled over from 2024. 8 of the complaints rolled over have been closed. There are currently 15 complaints with legal counsel or in the unsafe premise order process. There are 4 being monitored for continued compliance. 12 new complaints have been received in 2025, 3 of which have been closed. There have been 65 complaints worked in total so far in 2025 with 11 being resolved.

❖ Any other business

- No other business was heard

9. Adjournment

❖ Mr. Ruse made a motion to adjourn, seconded by Mr. Vogel at 8:09pm.

Also present: Bonnie Behny, Dave Terflinger, Michael Heagy, Ryan Hauptert, Suzanne Peebles, Roger Peebles, Kent Marshall, Teresa Marshall, Chris Hickman, Tami Hickman, Rodney Warren, Brenda Carver, Cindy Runkel, Steve Runkel, Amanda Lyons, Pete Brubaker, Gary Runkel, Brent Klutz, Nicky Burnsworth, Todd Dierks, Missy Dierks, Boyd Brubaker, Anita Brubaker, Bill Green, Tim Graves, Cheryl Ridgeway, Cathy Montel, Greg Montel, Latheda Metzger, Dan Metzger, Janey Lyons, Susan Fakharzadeh, Pam Hawkins, Mike Hawkins, Patrick Linkenhoker, Colton Ringel, Zach Vawter, Vicki Niccum, Steve Vawter, Brittany Hanna, Ezra Gahl, Sue Gahl, Jessica Gahl, Lori Denney, David Denny