

Starke County Plan Commission
Regular Meeting
March 9, 2022

- ❖ Call to Order-President Crase called the meeting to order
- ❖ **Pledge of Allegiance**-Led by President Crase
- ❖ **Introduction of a new board member**-President Crase introduced Isaiah Collins as the Commissioners appointment to the board who is taking Karl Swihart's position.
- ❖ **Roll Call:** Bill Crase, president & surveyor; Todd Jackson, vice president and citizen member; Bryan Cavender, Commissioner (absent); Howard Bailey, councilman; Phil Woolery, extension educator; Mark Allen, trustee; Todd Lawrence, Denise Cultice, and Isaiah Collins, citizen members; Martin Bedrock, commission counsel; Wallace (Boz) Williams, building commissioner; Robby Blodgett, code enforcement officer (absent); and Pamla J. Starkey, administrator. There were two (2) visitors present.
- ❖ **Approval of the minutes** of the February 14, 2022 meeting: Vice President Jackson made a motion to approve minutes as written, seconded by Member Cultice. Motion Carried (8-0)
- ❖ **Appointment for Planning Commission Counsel**
 - President Crase asked that Marin Bedrock and Justin Schramm speak as to why they want the position
 - Martin Bedrock explained that he has been the attorney for this board for a number of years and thinks he has done a good job, none of his decisions that he has given to the board has been taken to court and all of his decisions have stood and he doesn't think anyone can complain about the work that he has done. He has been a resident of Knox for 44 years or so, deeply involved in the community, has served on the hospital board, the Starke County Scholarship Foundation and his wife also serves on the election board. He supports most local charities, and would like to keep the position and thinks that he has done a very good job as the attorney for this board and would continue to do so.
 - Vice President Jackson asked Martin Bedrock how long he plans on keeping his practice and serving as the attorney for this board.
 - Martin Bedrock responded by saying as long as he can do the job.
 - Justin Schramm explained that he was approached to see if he was interested in the position and it certainly was not his intention of putting someone out of the position. He is the county attorney and does a lot of work in Winamac. He went on to say that even if he is only the attorney for the BZA he would still be willing to work with the planning commission and Mr. Bedrock and understands if the board is wanting to stay with Mr. Bedrock but if you are interested in another attorney he would be interested and again his intention was not to take away a position, he was approached. He has been in practice for 7 years and in Winamac for 7 years and represents various towns and cooperate entities and appreciates their consideration.
 - President Crase thanked both attorneys and asked for nominations
 - Vice President Jackson said for transparency purposes for our county boards and our BZA board he would like to make a recommendation for Justin Schramm, seconded by Member Cultice
 - Councilman Bailey asked if the floor was still open for recommendations
 - President Crase said yes the floor is still open for nominations

- Councilman Bailey stated that Marty has been our attorney for a number of years now and would like to nominate Martin Bedrock for the planning commission attorney, seconded by Trustee Allen.
- President Crase asked for the vote for Justin Schramm vote was 3-4 (Cultice, Jackson and Collins for & Woolery, Allen, Bailey and Lawrence against)
- President Crase asked for a vote for Martin Bedrock, vote was 4-3 (Allen, Bailey, Lawrence, Woolery for & Jackson, Cultice & Collins against.
- Martin Bedrock will remain the planning commission attorney with the 4-3 vote
- President Crase thanked Justin for his time for coming and the interest in the position.
- Councilman Bailey stated that Justin is a great attorney, they tell him what they need and he will type up a letter immediately and does a great job.
- Martin would like the meeting changed back to Monday nights as he has another meeting on Wednesday
 - There was discussion regarding the board of zoning appeal meetings being on Wednesday and the members that sit on both boards would like them on the same night
 - Justin Schramm said that Monday night would be okay with him for the BZA meeting as long as it was no earlier than 6:30 p.m. cst.
 - Member Lawrence made a motion to keep the planning commission meetings on the second Monday of the month at 5:30 p.m. cst., seconded by Trustee Allen. Motion carried (8-0)
- President Crase thanked both attorneys again for their interest in the position and being here.

❖ **Old Business and Violations**

- President Crase asked the board if they have any suggestions on how to fund the unsafe building fund as he had asked them to do last month, Trustee Allen being one of them because it was discussed to maybe take a portion of a permit fee to fund it, and Trustee Allen didn't like the idea of someone else paying for it.
 - Councilman Bailey stated that we had talked about cleaning up the properties and putting liens on the property and getting the money back that way.
 - President Crase and Admin. Starkey explained that if it is purchased on tax sale the liens go with it, and if it sells at a certificate sale, sheriffs sale or a commissioners sale they get released and we lose the money that we put in to clean it up.
 - Attorney Bedrock stated that we tried to get Attorney Lucas to see if we could get ownership of the properties if they didn't sell but never got an answer.
 - County Attorney Schramm explained the differences to the board.
 - Attorney Bedrock said that certificate sale is the same as a tax sale.
 - Vice President Jackson stated that we had talked about adding a fee to the permit fees and knows that Trustee Allen was against it, and went on to say that our current fees are pretty cheap and they do not come back to us it goes into the general fund and for us to incorporate any money back into our account for cleaning up buildings and properties the quickest and most logical way to do that is to add a small fee to the permit fee and it could be based on the amount of the permit fee.
 - Trustee Allen asked Vice President Jackson if he builds anything and if he would be willing to pay the additional fee.

- Vice President Jackson stated that yes he builds stuff all of the time and would not mind paying the extra fee especially if it means getting the properties cleaned up around the county.
- Attorney Bedrock gave an example of the Rudd property that we have been working on trying to get cleaned up for years, they keep saying they are going to clean it up but don't do anything and don't pick up their notices, he went on to say that we do not have the funds to do what is necessary to do.
- Councilman Bailey asked Attorney Bedrock if we can condemn a property and order them to move out until it is made habitable.
- Attorney Bedrock stated that we have never condemned a property, with the unsafe building ordinance we can hold a public hearing and tell them what you want done in the order and if the owner doesn't comply, we take them to court.
- Councilman Bailey asked that as a functioning board can we legally move them out of the property and condemn the property.
- Attorney Bedrock stated that he has never researched that question because that issue has never been brought up in the years that he has been here.
- Attorney Bedrock said that he doesn't think that we have the authority to do that.
- Member Cultice stated that she thinks that might be a Health department issue.
- After more discussion President Crase asked Attorney Bedrock to research the possibility of condemning properties to see what our options are.
- Attorney Bedrock said that he will prepare an order for the Building Commissioner to issue to them and tell them what they need to do.
- President Crase asked the board again to try to think of ways to fund the unsafe building fund and email their ideas to him as he is glad to hear of any ideas and we will discuss them at next month's meeting, he also asked Councilman Bailey to bring this up to the rest of the council to see if they have any recommendations as we have got to come up with something.
- Councilman Bailey said that he would, and would get it on a very soon future agenda.
- **Rudd Property**-Nothing has changed and we just discussed it.
- **Nokes Property**-Attorney Bedrock stated that they were ordered to pay \$50.00 a month until it is paid in full.
 - Administator Starkey explained that they were suppose to make their first payment March 1st but we haven't received anything and the order also said the court orders that another Proceedings Supplemental be scheduled in six months if payments have not been made as ordered.
 - Attorney Bedrock said we could file a contempt of court.
- ❖ **New Business and Violations**
- ❖ **Code Enforcement Officer Report**
 - **Egolf** was sent a letter and a letter was placed on his door to remove or go thru BZA for a special exception.
 - **Trusty**-Letter was sent via mail and email, Shannon Trusty responded by saying it was cleaned up a couple of months ago, Ordinance Enforcement Officer Blodgett stated that she went and took pics and it is still the same as it was.
 - **Other Business from the Board**
 - Member Cultice let the board know that she has her first SCEDF meeting on March 28th.
- ❖ **End of the month reports**
- ❖ **Next Scheduled Meeting**- will be Monday, April 11, 2022 at 5:30 p.m.

- ❖ **Adjournment**-With no further business, Member Cultice made a motion to adjourn the meeting seconded by Member Collins. Motion carried (8-0)

This meeting was recorded and will be on file in the Starke County Plan Commission Office.

Unless stated otherwise all Plan Commission meetings will be held on the second Monday of every month at 5:30 p.m. with the Board of Zoning Appeal meeting on the same night the latter of 6:30 p.m. or the conclusion of the Plan Commission meeting.

Pamla J. Starkey
Administrator