

Starke County Plan Commission Minutes
Regular Meeting and Public Hearing
July 10, 2024

- ❖ **Call to Order** – President Jackson called the meeting to order at 5:30 p.m.
- ❖ **Pledge of Allegiance** - Led by President Jackson
- ❖ **Roll Call:** Todd Jackson, president and citizen member; Mark Allen, vice-president, trustee; Howard Bailey, councilman; Phil Woolery, extension educator; Charles Chesak, commissioner (Absent); Matthew Lawrence (Absent), citizen member; Denise Cultice, citizen member (Absent); Isaiah Collins, citizen member (Absent); Thomas Schouten, Surveyor; Justin Schramm, commission counsel; Wallace (Boz) Williams, building commissioner; Robby Blodgett, code enforcement officer; and Mary Beever, administrator. There were 3 visitors present.
- ❖ **Approval of the minutes**
 - Member Schouten made a motion to accept the minutes from the June 12, 2024 meeting as written, seconded by Vice-President Allen. Motion carried 5-0.
- ❖ **Public Hearing-** to consider the Flood Damage Prevention Ordinance for Starke County developed by the Indiana Department of Natural Resources, Division of Water.
 - President Jackson read the public hearing and explained that this was sent to the board from the State DNR's Division of Water to be updated and adopted.
 - Member Schouten made a motion to open the public hearing. Seconded by Vice-President Allen. Motion carried 5-0.
 - During the board's discussion the matter of whether or not Bass Lake has an exemption on it for piers for the length that they can be was brought up by audience member Jensen. He stated he believed that there is an exemption for Bass Lake.
 - Member Woolery stated that he believes there may be one too according to the Park Board Secretary.
 - P.C. Admin. Beever Stated that she would e-mail the state DNR Division of Water and ask them if there is an exception for Bass Lake and if so to send her a copy of it.
 - Member Schouten made a motion to close the public hearing. Seconded by Vice-President Allen. Motion carried 5-0.
 - Member Schouten made a motion then to accept the Flood Damage Prevention Ordinance for Starke County developed by the Indiana Department of Natural Resources, Division of Water as presented to the board. Member Bailey seconded that motion. Motion carried 5-0.
- ❖ **New/Old Business** –
 - Member Bailey-Possible pond ordinance discussion- tabled from last meeting.
 - Member Bailey discussed with the board that he believes that the board should possibly look at an ord. for ponds with setbacks from the property lines. He went on to discuss with the board a couple situations that he believed may warrant an ordinance.
 - President Jackson asked Member Schouten about the State Requirements for ponds and if there were any.
 - Member Schouten stated that there is a State statue and he believes it's 30' from the property lines.
 - P.C. Admin. Beever stated that she also believes it's 30' from what Member Schouten stated at the previous meeting.
 - Audience member Conley talked about a situation at his property where the neighbor's pond is eroding into his property.
 - Member Bailey stated that he thinks we need an ordinance for public protection.
 - President Jackson asked Atty. Schramm if he could look up what the state standards are on ponds.
 - Atty. Schramm agreed.
 - President Jackson then asked when a does a pond then turn into a lake, and referenced a few areas around the county.
 - P.C. Admin. Beever stated she believes it's when it is larger than three acres.

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- President Jackson asked if P.C. Admin. Beever, Bldg. Comm. Boz, and Member Schouten could look into what other counties have as well when it comes to pond ordinances.
- Atty. Schramm then informed the board of the pro's and con's of having an ordinance and not having one since the State already does.

❖ **Code Enforcement Officer report.**

- Case 324- Jerry Tolson, 8920 S US 35 Monterey, IN 46960
 - Code Enforcement Officer Blodgett stated she's still making payments on it.
- Case 328-Mark Namojlk, 8675 E 25 N Knox, IN 46534
 - Code Enforcement Officer Blodgett stated she is rechecking the property on July 14, 2024.
- Case 308- Lorraine & Dewayne Weber/Anissa Beem 850 S (Rear) Monterey, IN 46960
 - Code Enforcement Officer Blodgett stated she rechecked the property on July 8, 2024 and there has not been any changes.
- Case 401- Nancy Jachim, 4655 S 850 W San Pierre, IN 46374
 - Code Enforcement Officer Blodgett stated she has not made a second payment of \$50.00 on June 25, 2024.
- Case 347- Benesh, Joseph A. & Delores K. , 10691 W Sr 10 San Pierre, IN 46374
 - Code Enforcement Officer Blodgett stated she gave them an extension of time on it. She added that it'll be checked on July 15
- Case 393- Joshua Whitfield- 6751 S Lombardy Ln.
 - Code Enforcement Officer Blodgett stated that she turned this one over to Atty. Schramm.
 - Atty. Schramm apologized to the board and stated that he has sent them notice.
- Case 430-Gary Kell, 2055 S Country Lane W Knox, IN 46534
 - Code Enforcement Officer Blodgett stated she had a complaint on this property and went to the property and there was no violations that she could see from the road.
- Case 459,Crystal Darling, 11080 E 50 N Knox, IN 46534
 - Code Enforcement Officer Blodgett stated she gave them an extended amount of time and the property will be rechecked on July 15, 2024. She went on to state that the RV is in the process of being tore down and that all the remaining junk and debris will be removed.
- Case 460- Janice Darling, 3950 S East Dr. Knox, IN 46534
 - Code Enforcement Officer Blodgett stated that all the junk and debris has been cleaned up on the property and the fill is now closed.
- Case 461- Jessica Keller, 5660 E 500 S Knox, IN 46534
 - Code Enforcement Officer Blodgett stated that all the junk and debris has been cleaned up on the property and the fill is now closed.
- Case 462- Steven Reinholt, 2687 S 800 E Knox, IN 46534
 - Code Enforcement Officer Blodgett stated that she tagged the RV.
- Case 463- Heather Hatter, 4175 E 216 S Knox, IN 46534
 - Code Enforcement Officer Blodgett stated that all the junk and debris has been cleaned up on the property and the fill is now closed.

❖ **Other Business**

➤ **Economy Inn Motel**

- Bldg. Comm. Boz brought up the Economy Inn Motel on Rt. 30. He informed the board that the fire occurred there January of 2022 and he along with Mike from the health department have been trying to work with the owner on getting it fixed. He went on to state that he finally got the owner to hire a registered contractor to do the

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work and get the necessary permits from the state and the county. He then went on to add that a mold inspection was done and that he has not yet received the paperwork for it but the inspector that did the inspection told him that there was mold on everything. He then went on to add that the contractor gave an updated estimate of what it would cost to do the work that was needed at the property and the property owner did not want to pay that much for the work. He then went on to inform the board that he thinks that the board should start the unsafe process with this property because nothing is getting done at all there and the property owner keeps dragging his feet with getting the necessary repairs done.

- Member Bailey asked if anyone is living there and what all needs done.
- Bldg. Comm. Boz answered no and then stated that all the electric needs to be brought up to code, the mold needs taken care of, it needs fire alarms and fire proof walls, a roof.
- Mike with the health department added that it needs a new septic system and roof first because if they don't fix those first the mold problem will just continue.
- President Jackson asked Atty. Schramm what could be done in this situation.
- Atty. Schramm stated it sounded to him like they need to start the unsafe building process so that the property owner is given a timeline of when things need to get done. He then went on to discuss with the board the difference of this type of unsafe structure from one that needs a public hearing and demolition. He stated that this gives the property owner up to 60 days to remediate the property and if it's not done then the planning commission then has the court take over the case.
- Member Bailey added it needs to be brought up to commercial code for the safety of the people that stay there.
- Member Schouten made a motion for the unsafe structure letter to be sent to the owner of the Economy Inn property. Member Bailey seconded that motion. Motion carried 5-0

➤ **Sunderland/Noakes**

- President Jackson asked P.C. Admin. Beever where we were with this case.
- P.C. Admin. Beever stated that she believes Atty. Schramm is handling this one.
- Atty. Schramm stated he believes that they have around \$500.00 left to pay plus some interest and that he has set a hearing with the judge to find out why the payments have stopped.

➤ **Rudds/Knapp**

- President Jackson asked P.C. Admin. Beever where we were with this case.
- P.C. Admin. Beever stated that she believes the board handed that one as well over to Atty. Schramm.
- Atty. Schramm stated he was unaware of that and after some discussion on the property he stated that the unsafe building process should just be started over on it.
- President Jackson asked since the bank paid one lien on it if we'd be able to place another lien on it due to nothing being done.
- Atty. Schramm answered yes, and that he would start the unsafe building process with it and send out a letter to them.

➤ **Garba**

- President Jackson asked Atty. Schramm where we were with this case.
- Atty. Schramm stated that he has fines, but has not attempted to remedy the situation or pay the fines.
- Member Schouten asked what the next step would be.
- Atty. Schramm informed the board that they could sue him.
- Member Schouten made a motion to sue Mike Garba over the concrete being left on the property. Member Woolery seconded that motion. Motion carried 5-0.
- Audience member Conley asked where this property was located.

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- President Jackson stated it's where the old Weinberg store was on Toto Rd.
- Audience member Conley asked the board why they were worried so much with this property than with the previous case, and stated it's just concrete.
- Member Bailey stated that the Rudd's is actually more of an issue.
- President Jackson explained that when Mr. Garba applied for the demolition permit he entered into a contract with the county that requires the concrete to be removed. He then went on to explain to Mr. Conley that Rudds have people living in these structures which complicate things even more.

➤ **Kliendinst**

- Vice-President Allen asked Atty. Schramm where this case was.
- Atty. Schramm stated that the commissioner's approved getting a survey done of 750 N. by Territorial Engineering.

❖ **End of the month**

- Board reviewed the reports from June 2024

❖ **Next Scheduled Meeting-** will be Wednesday, August 14, 2024 at 5:30 p.m.

❖ **Adjournment-**With no further business, Vice-President Allen made a motion to adjourn the meeting seconded by Member Schouten. Motion carried 6-0.

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 Wednesday 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.

❖ **Approval of the minutes at the August 14, 2024 meeting**

- Member Schouten made a motion to accept the minutes from the July 10, 2024 meeting as written, seconded by Member Chesak. Motion carried 9-0.

Mary W. J. Beaver
Administrator