

Marshall County Unsafe Board
Regular Meeting
August 27, 2020
112 West Jefferson Street, Room 203
Plymouth, Indiana 46563



MINUTES

President, Trend Weldy called the Marshall County Unsafe Building Board to order 9:00 a.m. on Thursday, August 27, 2020, in Room 203 of the Marshall County Building. Board members present were: Mike Burroughs, County Commissioner; Jim Masterson, County Council; Lisa Mullaney, Clerk for Town of Argos; Bill Keyser, Building Commissioner for Town of Bourbon; Trend Weldy, Town Manager of Bremen; Jonathon Leist, Town Manager for Town of Culver; Kelli Chavez for LaPaz; and Keith Hammonds, City of Plymouth Building Commissioner. Others present were James Clevenger, Attorney; Chuck DeWitt, Marshall County Building Commissioner; Faith Chapman, Marshall County Health Department Environmental Health Specialist; Ashley Garcia, Marshall County Health Department Administrator and interested parties. Absent were: Michelle Livinghouse, Adult Protective Services.

First item on agenda was review of minutes from July 23, 2020. **Mr. Burroughs moved to accept the July 23, 2020 minutes. Mr. Hammond seconded the motion. Motion passed 7-0-1.**

First case on the agenda was 19-UB-95, Diane Sherrill (deceased), 440 Lincoln Highway, Bourbon, IN. Mr. DeWitt presented the background of this case. Mr. DeWitt recommended this case be taken to court since no one in connection with this property could be located. **Mr. Hammonds moved to take 19-UB-95 case to court. Mr. Keyser seconded the motion. Motion passed 8-0.**

Second case was 19-UB 97 Ulises Juarez, 2700 St. Rd. 331, Bremen, IN. Ms. Chapman reported she has a signed contract from the septic contractor to put in the system next week. **Ms. Chapman recommends this case closed.**

Third case on the agenda was 19-UB-99 Jerry Haeck, 17149 Lincoln Highway, Plymouth IN. **Ms. Chapman stated they are still waiting for the State to make the approval on the plan. There has been communication back and forth between engineer and state.**

Fourth case was 20-UB-01 Cheryl Musilek, 9971 State Road 17, Plymouth IN. Mr. DeWitt recommends that we have an open hearing next month for owner, attorney and anyone involved. Mr. Clevenger, attorney told the board that they were a quasi court. Mr. DeWitt needs to present to the board why he feels the building and/or property is unsafe, what he thinks needs to be done and the owners can present their case. Mr. Clevenger said that the board needs to do its administrative work so if it goes to court, there is not an objection. **It was decided everyone will be contacted for the next meeting.**

Fifth case was 20-UB-03 George Hopple Jr., 17036 Tamarack Rd., Culver, IN. Mr. DeWitt updated the board on this case. The roof has not been done and there has been no movement forward on the septic. Mr. Hopple attended the meeting and reported to the board that he started fixing the roof himself because of difficulty with contractor. **Mr. Burroughs moved to take this case to court. Mr. Hammonds seconded the motion. Motion passed 8-0. Mr. Weldy told Mr. Hopple to get it done before court to stop further action. Mr. Hopple asked if that only meant the roof. Mr. Weldy said yes.**

Sixth case on the agenda was 20-UB-07 Jose and Teofla DeJesus 11190 Manor Drive, Plymouth IN. The DeJesus' daughter, Mary Jane Russell and her husband, Gerard appeared at the meeting. Mr. DeWitt gave an outline on this case that has been on going for about 11 years. Mrs. Russell told the board that Langfeldt Excavation cleared completely around the house, removed the grills, lawnmowers, the barn, and brush. Cox Wood Removal removed the trees that were down and on the house from the storm and more trees will be removed in September. The Russell's are fixing other items around the home. Mr. Hammonds stated that if the Russell's do any work on the home, they will have to get a permit and an engineer. The Russell's were asked for the documents requested from the July meeting. The Russell's feel they have done what the board has asked them to do regarding the property and cleaning up. They do not have any documents.

Jim Stuckmeyer, 11159 Forest Drive, Plymouth, appeared in front of the board. He lives on the backside of the Russell property. Mr. Stuckmeyer confirmed everything was cleared and thanked them for cleaning it up. He also told the Board thank you for getting it done and is nervous if the house sets empty, that kids will break in. John Beauchamp 11171 Manor Dr., Plymouth, confirmed the debris was removed but there are still some dead trees that needs removed and feels house should be inspected. Pam Barry 11239 Manor Drive, Plymouth, thanked the Russell's for the work they have done but wants assurance it will be kept up. Mr. Masterson stated that if Langfeldts did excavating he hopes they did not drive over septic. It may need to be checked because of high water table in the area.

Mr. DeWitt recommends that the Board accepts their verbal report on what they have done, and go with what Mr. Hammonds stated, whoever gets a permit, there will be an inspection done. The case is closed for Unsafe Board.

Seventh case was 20-UB-08 Clarence Bellman, 4241 East Shore Drive, Bremen, IN. Mr. DeWitt said there was no contact on this case. **Mr. Hammonds moved this case be taken to court. Mr. Burroughs seconded the motion. Motion passed 8-0.**

Eighth case was 20-UB-10 Travis Pugh, 402 N. Michigan Street, Argos, IN. Ms. Mullaney gave the update on this case and **Argos Fire Department will help burn this building down in October. Need to push for demolition permit so needs to be done in 6 months.**

Ninth case was 20-UB-11 David Speegle, 311 S. West St., Argos, IN. Ms. Mullaney updated the Board on this case. Ms. Mullaney recommends this case be taken to court by Argos Attorney. **Mr. Hammond moved to take case 20-UB-11 to court. Ms. Mullaney seconded the motion. Motion passed 8-0.**

Tenth case was 20-UB-12 Jeremy Caudill, 210 N. Maple Str., Argos, IN. Ms. Mullaney gave the Board an update on this case and person living there is not responding. **Mr. Burroughs moved Town of Argos has their attorney pursue case 20-UB-12 and take care of legal matters. Mr. Hammonds seconded the motion. Motion passed 8-0.**

Eleventh case on the agenda was 20-UB-13 Shelly Marsiliano, 193 S. Michigan St., Argos, IN. There has been no contact with the owner and the violation was minor. **Board recommended the Town of Argos have their attorney send a letter. If she does not fix it, the Town can and bill Ms. Marsiliano for the work.**

Twelfth case was 20-UB-16 Larry Scutchfield, 20733 12th Rd., Plymouth, IN. Mr. DeWitt updated this case and said he has been in contact with the sister. **Mr. DeWitt recommended to have a public meeting next month on this case.**

Thirteenth case was 20-UB-17 Cathy Russell, 709 S Obispo, Culver, IN. Mr. Leist updated the Board regarding this case. It has gone to the judge and the **second hearing will be on October 11th whether they will demolish, remodel it, or someone under contract.** If not done by then, the judge will have the Town of Culver demolish it and bill them.

Next item on the agenda was case 20-UB-18 Pat's Bar, Javier Figueroa, 115 S. Michigan St., LaPaz, IN. Ms. Chavez updated the court to this case in regard to the LaPaz town meeting. Mr. DeWitt said Mr. Figueroa will need a permit and a state plan for the restaurant he wants to put in. **Mr. DeWitt recommended to the Board that the Town of LaPaz fix the awning and bill Mr. Figueroa. This case will then be off the Unsafe List.**

Following case on the agenda was 20-UB-19 Randy's Bait Shop, 16309 St. Rd. 17, Culver, IN. Mr. DeWitt updated the Board to this case. The owner has done some cleaning but the cars are not removed per Jack Walter's statement at the July meeting. The building has not been inspected. Mr. Masterson said Mr. Walter called him and said he was trying to get in compliance, had purchased material to get the building fixed, sent a copy of the receipt to Mr. Masterson and hopes his health holds up so he can get the work done. **Mr. Clevenger advised the Board to have an Agreed Order which will state what needs to be done with dates and have the owner sign it along with a representative from the Board.** Mr. DeWitt and Mr. Clevenger will work on the Agreed Order for this case that will be the format for future cases.

Case 20-UB-20 Michael Samarich, 3679 Thorn Road, Walkerton, IN was the next case on the agenda. Mr. DeWitt brought pictures and updated the Board on this case. Inspection was done and it is no longer leaking. **Mr. DeWitt recommended to continue working with them and bring this case back to the September meeting with an Agreed Order.**

Last case was 20-UB-21 Amanda Yeazel, 4075 West Shore Drive, Bremen, IN. Ms. Chapman reported to the Board she did an inspection and the front door was open but there was no evidence of anyone there. Ms. Chapman has been in contact with the homeowner regarding the doors being locked. **It was recommended to send a letter and create an Agreed Order for**

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clean up within 30 days. If they don't sign the order, they will need to appear at the September meeting.

New cases: Mr. Burroughs gave information to Mr. DeWitt of a new case and gave information to Mr. Adley for another case. Mr. DeWitt said he would check into these.

Ms. Mullaney moved to adjourn the meeting. Mr. Leist seconded the motion. Motion passed. 8-0

Keith Hammonds, Secretary