

Marshall County Unsafe Board  
Regular Meeting  
July 23, 2020  
112 West Jefferson Street, Room 203  
Plymouth, Indiana 46563



## MINUTES

Vice President, Jonathon Leist called the Marshall County Unsafe Building Board to order 9:00 a.m. on Thursday, July 23, 2020, in Room 203 of the Marshall County Building. 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; Jonathon Leist, Town Manager for Town of Culver, Keith Hammonds, City of Plymouth Building Commissioner; Faith Chapman, Marshall County Health Department Environmental Health Specialist; Ashley Garcia, Marshall County Health Department Administrator, Ty Adley, Marshall County Plan Director; and interested parties. Absent were: Michelle Livinghouse, Adult Protective Services; Kelli Chavez, Town of LaPaz; and Chuck DeWitt, Marshall County Building Commissioner. Staff members are not eligible to vote.

First item on agenda was review of minutes from June 25, 2020. Mr. Burroughs moved to approve the minute. Mr. Hammonds seconded the motion. **Motion passed 6-0.**

First case on the agenda was 19-UB-95, Diane Sherrill (deceased), 440 Lincoln Highway, Bourbon, IN. Mr. Adley reported that they have been able to contact the son and trying to find someone associated with this property. **There has not been anything new on this case.**

Second case on agenda was 19-UB-96, Kathy Smith, Hawthorn Rd., Argos, IN. Mr. Adley reported the structure has come down. It is not the cleanest but meets minimal standards. Mr. DeWitt reported to Mr. Adley that he would like for the Board to close this case. **There were no questions from the Board, so this case is closed.**

Third case was 19-UB 97 Ulises Juarez, 2700 St. Rd. 331, Bremen, IN. Ms. Chapman reported she has contacted the attorney to move this case into court since there has not been any movement on a new system. **Ms. Chapman is waiting for the attorney to set a court date.**

Fourth 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.**

Fifth case was 20-UB-01 Cheryl Musilek, 9971 State Road 17, Plymouth IN. Mr. Adley reported to the Board that the yard is cleaned up and 2 offers have been made. Another other offer will be in within the next few days. The third offer is aware of what the Board is seeking. Mr. Leist asked per the last month minutes that Mr. DeWitt was to make sure the owner told the potential buyers about the requirements for the Board. Mr. Adley reported it had been done.

Sixth case was 20-UB-02 Robert & Glennia Cooper, 438 Ohio Street, Culver IN. Mr. Leist said at the last meeting he had 30 days to get an engineer report. Mr. Adley said Mr. DeWitt had

issued a letter to Mr. Cooper because it would be a building issue and **removed this case from Unsafe Board**. Mr. Leist asked for a copy of this letter. Mr. Adley said it would be sent to the Board members after the meeting.

Seventh case was 20-UB-03 George Hopple Jr., 17036 Tamarack Rd., Culver, IN. Ms. Chapman reported that Mr. Hopple did have a soil scientist out to his property and she sent out the technical data sheet from that report. Ms. Chapman said when she was out there last week there was still a tarp over the roof. Mr. Elliott of Elliott Enterprises told the Board that he is contracted to do the roof and as soon as they are done with another roof, they will be do Mr. Hopple's. Mr. Leist asked if it would be done by August meeting and Mr. Elliott said yes. Ms. Chapman said they were going to move forward from here and have Mr. Hopple obtain a permit. Ms. Chapman was happy with the progress. Discussion was held by Mr. Hopple, Mr. Elliott, Ms. Chapman and Board about the septic system, why it was inspected, grandfather law, and about the report from septic contractor. **Mr. Leist recommended that by August meeting from the building aspect that the roof be done. Ms. Chapman recommended that in 60 days she would like to see a design for the septic system in the Health Department office. Mr. Hammonds moved to follow the recommendations. Mr. Keyser seconded the motion. Motion passed 6-0.**

Eighth case was 20-UB-06 Marjorie Holm 606 Washington Street, Bourbon, IN. Mr. Adley reported Mr. DeWitt visit this home and took pictures of the outside. Mr. DeWitt did not get to see the inside. Mr. DeWitt recommends removing this case from Unsafe List by barely meeting minimum standards. Mr. Vanderpoole, Attorney for Karen Holm which is an estate for Marjorie Holm, and Karen Holm attended the meeting. Mr. Vanderpoole asked where he can find the Ordinances. He wanted to know which ordinance to look at as far as County or Bourbon. Mr. Adley confirmed that Mr. DeWitt would like to remove this case off the Unsafe Building List. **Mr. Hammonds moved to accept report and take 606 Washington Street, Bourbon off the cases. Ms. Mullaney seconded the motion. Motion passed 5-0-1 with Mr. Keyser abstaining.**

Ninth 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 to the meeting and Mrs. Russell thank the Board for the referrals and read her list of plans for the property. Mrs. Russell informed the Board who she contracted for quotes to get the work done. They first plan to remove the items from the yard like the grills, lawnmowers and miscellaneous items. Second is to remove and trim bushes and trees. She is having a hard time finding someone to do the lawn care. Mrs. Russell said they are planning to get in compliance and are weighing the options of demolishing the home or reconstruction. They feel the building is still sound and make it beautiful again for possible resale. The home has been gutted. Mr. Leist confirmed that the home needs to be secured and safe. Definitely get the yard cleaned up so it does not look abandoned. Put gutter up and power wash the home. The Board would like a timeline today. Mrs. Russell said a lot of the companies are giving her a time line of September. She asked for more referrals to do the work sooner. Mr. Adley recommended that 30 days under contract and a schedule of events before next meeting or the Board will move forward. Not demolished but

an exact plan of what will be done, and the people contracted. Mr. Russell said they are working on getting property cleared up and everything secured but they do not have a lot of extra money to spend on all the work and demolition. Mr. Masterson said that there were neighbors of the DeJesus' home and he would like to hear what they have to say because if he was a neighbor he would like for it to be maintained so his home would not lose value. Pam Beery, 11239 Manor Drive, Plymouth, came forward to talk to the Board. Mrs. Beery wanted clarification of what they are planning on doing with the home. Mrs. Beery wanted to know timing because they have been looking at this for about 11 years. She will not want to be here next year in the same situation trying to get this done. Once done it needs to be maintained all the time. Mr. John Beauchamp, 11171 Manor Drive, Plymouth, said they have been looking at the disarray for a long time and even tried to keep it mowed for awhile until they finally gave up. He appreciates them coming to meeting and taking care of the property. **Mr. Burroughs moved to follow Mr. Adley's recommendation of 30 days under contract with a written plan with dates and if remodeling or demolition. Mr. Hammonds seconded the motion. Motion passed 6-0. Mr. Leist reconfirmed the motion and asked that they start cleaning up the yard by August 27 meeting.**

Tenth case was 20-UB-08 Clarence Bellman, 4241 East Shore Drive, Bremen, IN. Mr. Adley gave the Board an update. There has been nothing done on the property except for a for sale sign by owner put on the property. Mr. DeWitt tried the phone number and there has not been any answer and no voicemail on the phone. Mr. Leist read the minutes from the last meeting for that property where the children were present and were given 30 days to start and completed in 60 have the home demolished and cleaned up. **Mr. Adley would recommend a follow up letter stating the motion from the last meeting with a request for the timeline.**

Eleventh case on the agenda was 20-UB-09 John and Marjorie Rupert, 3408 West Shore Drive, Bremen, IN. Mr. Adley reported for Mr. DeWitt that this case be closed. It has been demolished. **Mr. Hammonds moved to close this case. Mr. Burroughs seconded the motion. Motion passed 6-0.**

Twelfth case was 20-UB-10 Travis Pugh, 402 N. Michigan Street, Argos, IN. Ms. Mullaney gave the update on this case. Ms. Mullaney told the Board she sent the fire chief to check into removing the electric to burn the barn and it is a little more than they expected. It has been suggested to knock it over and then burn. Mr. Pugh has been in contact with other people to dismantle the structure and sell off wood. **Mr. Adley recommended an update with a schedule of events by next meeting and he will not have to appear before the Board. Ms. Mullaney is to contact Mr. Pugh.**

Thirteenth case was 20-UB-11 David Speegle, 311 S. West St., Argos, IN. Ms. Mullaney updated the Board on this case. There has been no for sale sign, no movement, and no contact. Mr. Adley said Mr. Speegle had been in contact with Mr. DeWitt and said Mr. Speegle would have it torn down in 30 days if he could find contractor. Mr. Adley recommended an update at the next meeting with a schedule of events and a signed contract. **Ms. Mullaney will send a letter to Mr. Speegle with the Board's recommendation.**

Fourteenth case was 20-UB-12 Jeremy Caudill, 210 N. Maple Str., Argos, IN. Ms. Mullaney gave the Board an up date on this case. Mr. Caudill is in jail and there is someone living there because they had to send Argos Utility employee in last week to do some work. The Utility employee told Ms. Mullaney the home is a wreck. The person living there said he was hoping to get it cleaned up. Ms. Mullaney said she thought Mr. DeWitt has talked to the sister of the owner. **Mr. Adley recommended a letter being sent for schedule of event in 30 days in writing.**

Fifteenth case on the agenda was 20-UB-13 Shelly Marsiliano, 193 S. Michigan St., Argos, IN. There has been no contact with the owner but at last meeting Ms. Marsiliano was asked to put the soffit up and no major fix for the Unsafe Board. **Recommendation was a follow up letter sent by Town of Argos requesting update on the property from the owner.**

Sixteenth case was 20-UB-14 Eugene and Virginia Grumwell, 16514 Sheryl Court, Plymouth, IN. Mr. Adley reported there has been some clean up on this property and the car is off the jacks. It is recommended to remove this property from the Unsafe List and if it was to move back into violation, it would be a zoning violation. **Mr. Burroughs moved to take this case off the Unsafe Building and Premises list. Mr. Masterson seconded the motion. Motion passed 6-0.**

Seventeenth case was 20-UB-16 Larry Scutchfield, 20733 12<sup>th</sup> Rd., Plymouth, IN. Mr. Adley said they have finely been in contact with the daughter and there has been some family issues. The daughter along with the son will start cleaning up the property and will keep in contact with Mr. Adley for zoning violation. **Mr. Adley said they will stay in contact and he will give an update at the next meeting.**

Eighteenth case was 20-UB-17 709 S Obispo, Culver, IN. Mr. Leist said at the last meeting it was moved to go to court. The Town of Culver has a court date of August 11, 2020. **Mr. Leist will give an update at the next meeting.**

Next item on the agenda was case 20-UB-18 Pat's Bar, Javier Figueroa, 115 S. Michigan St., LaPaz, IN. Mr. Figueroa, 3953 Michigan Road, Plymouth, IN attended the meeting. Mr. Adley said this includes some junk around properties and an awning over a side walk. Mr. Figueroa said he has been out of town and Mr. DeWitt told him about the awning. Mr. Figueroa said he has the material to fix the awning. He will be done with the projects in a month. Mr. Adley informed Mr. Figueroa to get ahold of Mr. DeWitt to inspect the awning when he is done and then the case will be closed unless another issue comes up. Mr. Leist asked this be on the agenda for next month to make sure the progress the Board is looking for is done.

Following case on the agenda was 20-UB-19 Randy's Bait Shop, 16309 St. Rd. 17, Culver, IN. Mr. Jack Walter, 13880 5<sup>th</sup> Rd., Plymouth was present for the case. Mr. Walter told the Board the property was willed to him and his sister. For 5 years his sister lived there and did nothing. After six years, she gave it to him. Mr. Walter started to clean up the property but had health issues. Mr. Walter promised by the next meeting he will have the property cleaned and Mr.

Dimmitt has already been contacted to get the vehicles off the property. He said the structure itself is not unsafe. The garage door can be repaired. The electric and water has been shut off. **Mr. Adley recommends the Board will look for the property be cleaned in 30 days and Mr. DeWitt meet Mr. Walter at the property to discuss any issues with the building. They will make a list of what will need to be done to get the building and premises in compliance. Mr. DeWitt will send a letter with a list of the things needed and a request a timeline.**

Case 20-UB-20 Michael Samarich, 3679 Thorn Road, Walkerton, IN was the next case on the agenda. Ms. Kim Stickler who lives on the property came to the meeting for Mr. Samarich because he was unable to attend due to health issues. Mr. Samarich has not been able to work since October 2018. They are financial unable to get the \$8,000 to do a new roof and soffit. With the tarp there has not been any leaking. Mr. Adley asked recommendations from the Board. Mr. Adley said they will have **Mr. DeWitt or Mr. Hurford to go do a visit of the inside of the home before the next Board meeting.**

New case was 20-UB-21 Amanda Yeazel, 4075 West Shore Drive, Bremen, IN. Mr. Adley reported this property has been zoning violation for several times. There has been evidence that someone is living on the property in a tent. Ms. Chapman reported someone called because a man was living there and defecating behind building, so the police were called and escorted him off. An Unfit order was sent to the owner so that the person is to stay off the property. Mr. Adley said he would take this case as a zoning violation as regard to the junk and debris on the property and move forward. Mr. Adley said if there is a reason for unsafe or an issue with Health Department, then it would stay with the Unsafe Board. **Mr. Adley will follow up in 30 days with the Board to let them know where the property stands as far as zoning violation or unsafe.**

The following item on the agenda was the new Ordinance 2020-12. There was an amendment by the County Commissioners on the Ordinance 2020-12 at their Board meeting in regard to the fees not being levied by staff and to be levied by the Unsafe Building and Premises Board. It has passed on the first reading. Mr. Adley explained that the ordinance gives the Board the power and takes the staff off the Board to give a separation in power and allow them to make recommendations. **Ms. Mullaney moved to approve the Ordinance 2020-12 as amended. Mr. Masterson seconded the motion. Motion passed 6-0.**

**Mr. Burroughs moved to adjourn the meeting. Mr. Hammonds seconded the motion. Motion passed.**

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Keith Hammonds, Secretary