

STATE OF WEST VIRGINIA; COUNTY OF UPSHUR; CITY OF BUCKHANNON; TO-WIT:

A meeting of the Buckhannon Housing Enforcement Board was held January 26, 2022 at 3:00 pm in City Hall. The following persons were present:

Mayor	Robbie Skinner	Present – by phone
Recorder	Randy Sanders	Present
Building Code Enforcement Officer	Vincent Smith	Present
Board Member	David Thomas	Present
City Engineer	Jay Hollen	Present
Upshur County Health Dept Officer	Sue McKisic; RN, BSN	Present
BFD Chief	J.B. Kimble	Present
Assistant Recorder & Director of Finance	Amberle Jenkins	Present
City Attorney	Tom O'Neill	Absent

Guests: None

To participate in the meeting virtually, regular participants and members of the public were invited to contact City Hall at 304-472-1651 for the GoToMeeting link/access.

***City of Buckhannon Housing Enforcement Board – 3:00 pm in Council Chambers
Meeting Agenda for Wednesday, January 26, 2022***

- A. Call to Order**
 - A.1 Moment of Silence
 - A.2 Pledge to the Flag of the United States of America
- B. Recognized Guests**
 - B.1
- C. Department Report**
 - C.1 Update Regarding the Progress of Properties of Primary Concern
 - Tax Sale Property Purchase
 - 86 Randolph Street
 - 6 Ambrose Street
 - 163 Wood Street
 - Update on Ongoing Vacant Properties
- D. Correspondence**
 - D.1 Code Enforcement Case Status Report
 - D.2 City Council Meeting Minutes 08/03/21 RE: Approval for the Disposal/Liquidation of Tax Sale Properties at 31 Upper Drive & 39 Sedgwick Street
- E. Consent Agenda**
 - E.1 Approval of Minutes – Regular Meeting 10/20/2021
- F. Strategic Issues for Discussion and/or Vote**
 - F.1 Discussion Inspection of Main Street Properties
- G. Board Members Comments and Announcements**
- H. Adjournment**

POSTED 01/20/2022

A. Call to Order: Mayor Skinner called the meeting to order, invited all to join him in a Moment of Silence and then City Recorder Sanders led the group in the Pledge to the Flag of the United States of America.

B. Recognized Guests – None

C. Department Report


C.1 Update Regarding the Progress of Properties of Primary Concern Housing - Building Code Enforcement Officer Vincent Smith reviewed the following property concerns with the Board, specifically with the Tax Sale property purchases:

- **86 Randolph Street** – This has been a nuisance property, which we would like to tear down the existing structures.
- **6 Ambrose Street** – The structures on this property need to torn down.
- **163 Wood Street** – This has been a problem property as well.

- Update on Ongoing Vacant Properties - Building Code Enforcement Officer Vincent Smith provided an update on the vacant properties with the Board including a discussion on the overall vacant structures problem. He also provided an overview on demolition plans for the buildings at 23-23B East Main Street.

D. Correspondence – Mayor Skinner reviewed the following with the Board:

D.1 Code Enforcement Case Status Report



Case Status Report

8/12/19 - 01/19/2022

Case Date	Case #	Parcel #	Parcel Address	Owner Name	Tennant	Description	Main Status	Owner Phone
Group: Active								
1/14/2022	14	3-10-97	7 COLLEGE AVENUE	MCCOY CAROLYN J & REBECCA JANE	Rebecca McCoy	Placement of Storage Building- Zoning Violation	Active	
1/3/2022	13	3-4-99	25 WEST MAIN STREET	LAZY L ENTERPRISES LLC	Mountain Chic Boutique	check to see if they have a backflow preventer	Active	
12/8/2021	12	3-17-4	29 ARMORY ROAD	ST OF WV	RX Remedies, Inc	Building, Electrical, Zoning Permit # 75088 PHASE II BUILDING RENOVATIONS	Active	
12/3/2021	11	3-11-5.1	117 BARBOUR STREET	GROVES JAY V & MARTHA	RICHARD GOULD	TRASH, DEBRIS, APPLIANCES,	Active	
11/18/2021	10	3-13-79	163 WOOD STREET	DAVIS KENNETH R & LEONA M	Davis -Deed of Trust & Assignment of Rents	Tax Lien Sale Property 11/17/2021	Active	
11/18/2021	9	3-11-261	86 RANDOLPH STREET	CORNETTE FRANKLIN		Tax Lien Sale Property 11/17/21	Active	
						Failure to maintain property		
11/18/2021	8	3-12-9	6 AMBROSE STREET	ALDERMAN DANIEL LEE	Last known tennant Traci Moul	Tax Lien Sale Property 11/17/21Declared Unsafe for Human Occupancy- Uninhabitable	Active	
11/17/2021	7	3-2-93	44 CLEVELAND AVENUE	BONNELL RANDALL L	Sonja & Glen Beeson	Living in unsafe structure, living in a tent, trash & debris	Active	
11/17/2021	6	3-13-52	217 RANDOLPH STREET	WAMSLEY CANDACE J & TIMOTHY D		Trash, Debris and scrap materials. Also a parking signage- business?	Active	
11/9/2021	5	3-4-269	11 NONA STREET	AYERS SHARON J		Uninhabitable Conditions	Active	
11/4/2021	3	3-13-43	191 RANDOLPH STREET	WILLIAMS JAMES M		Appearance of Lot	Active	
10/27/2021	2	3-6-54	10 PINNELL STREET	TETER JACOB & SHARECE		10 Pinnell Street	Active	
Group Total: 12								
Group: In-Active								
11/5/2021	4	3-5-99	126 EAST MAIN STREET	ZIRKLE SHALLE D & LORI M		NEIGHBOR IS BLOWING LEAVES OUT INTO STREET	In-Active	
8/12/2019	1	3-7-128	5 CHESTNUT STREET	BATTEN LYTLE L II		5 Chestnut Street, Lytle Batton, Section 602	In-Active	

D.2 City Council Meeting Minutes 08/03/21 RE: Approval for the Disposal/Liquidation of Tax Sale Properties at 31 Upper Drive & 39 Sedgwick Street

CITY COUNCIL MEETING MINUTES 08/03/2021

F.5 Recommendation from the Housing Enforcement Board Tax Sale Properties 31 Upper Drive & 39 Sedgwick Street - The Mayor and Amby provided an overview of the following Housing Enforcement Board July 28, 2021, report:

The City of Buckhannon-Housing Enforcement Board- July 28, 2021

Disposal/Liquidation of the Tax Sale Properties – 31 Upper Drive and 39 Sedgwick Street:

Mr. Smith reported that both properties were purchased at a tax sale that took place in November 2019. Both properties were identified as problem properties at the time of the sale. The steps required by the State of WV have been followed and the State of WV notified the city that the properties are now the possession of the City of Buckhannon.

Both properties were inspected by Housing Enforcement Officer-Vincent Smith, Engineer-Jay Hollen, Street Commissioner-Brad Hawkins and Fire fighter-Tanner Smith.

39 Sedgwick Street findings on inspection:

- The garage has a large crack in the block and notes structural damages would be costly to repair.
- The house is in good condition with a small leak in the roof under the window on the right side.
- Paint on the outside of the house is peeling and cracked.
- There is a small crack in one portion of the foundation
- It has a root cellar
- The yard needs more clean up. The city has been mowing it.
- It would take about 5 dumpsters and a week or two of labor to clear the inside.
- The house is listed in the WV National Register of Historic Places as follows:
353. 39 SEDGWICK STREET, residential Feltner House date: ca. 1920 description: One and one-half-story, side gable house with central shed roof dormer on the front. Dormer has exposed rafter tails and two 3/1 windows. Exposed rafters in gable ends. Red brick chimney. Pressed metal and asphalt shingle roof. Cove siding with corner boards. Vertical 3/1 windows with simple hoods and surrounds. One-story, shed roof, full length, front porch with wrought iron posts on a wood deck. Rock-faced concrete block foundation. 3 bays wide. Bungalow house type. 1 contributing building (C)

Inspectors recommend razing the garage but keeping the house intact.

Mr. Smith has scheduled an asbestos inspection.

Board Member Thomas recommends obtaining an appraisal.

Upon discussion, a motion was made Hollen/Thomas to recommend to City Council that the property at 39 Sedgwick Street be cleared of debris on the inside and outside of the property, raze the garage, obtain an asbestos inspection and obtain an appraisal then determine a minimum reserve and auction the property. Motion carried.

31 Upper Drive findings on inspection:

- Engineer Hollen explained that the foundation and basement has a stair step crack completely through the blocks from top to bottom between concrete pillars.
- The ledger board attaching the rear deck to the house is separated from the house. The deck must be removed for safety reasons.
- The concrete stoop is separated from the house.
- The back right garage wall is bowed out.
- Termite damage was visible
- Black mold was in the basement and in areas of the main floor.
- The city has been mowing the property. But has had to secure the doors a few times due to vandals and possible squatters living in the house.
- An adjacent vacant lot goes with this property.
- Most of the property is on a hillside.

The group inspecting the house all concurred that the house should be razed as the cost to repair would be substantial. Mr. Smith expressed concern if the house were sold “as is” potential owners may not bring the house up to code and will have continued issues with this property.

The Board discussed the inspection report.

Motion Hollen/Thomas to recommend to City Council to obtain an asbestos report, raze the structure, clear the lot and obtain an appraisal to auction both lots. Motion carried.

Motion to approve the recommendations from the City of Buckhannon Housing Enforcement Board for the disposal/liquidation of the Tax Sale properties at 31 Upper Drive & 39 Sedgwick Street was made by Rylands/Thomas. Motion carried.

E. Consent Agenda

E.1 Approval of Minutes – Regular Meeting 10/20/2021

Motion to approve the Minutes of the regular meeting of 10/20/2021 was made by Hollen/Thomas. Motion carried.

F. Strategic Issues for Discussion and/or Vote

F.1 Discussion Inspection of Main Street Properties – Mayor Skinner spoke about the possibility of the City providing building inspections to the downtown commercial building owners and then providing a report to them with a list of concerns that they should work on to bring their buildings up to better standards. A discussion took place with the Board members, which produced varying opinions as to how it would be received by the owners and how we can provide the report to them as information only, noting it would be up to them as to how they utilize that information. It was suggested that we have an independent firm conduct the inspections, if we decided to implement this service. Board member Thomas suggested that we check with the WV Municipal League to see if there are already programs in place that mirror this idea. Mr. Hollen suggested that we do an informal survey of building owners to see how this program would be involved. Mayor Skinner agreed to do such a survey and check with the WV Municipal League.

G. Board Member Comments and Announcements:

- **Smith** – Vincent Smith recommended that we have a garbage dumpster set at 39 Sedgwick Street and clean it out before we have the property auctioned. This will be taken under consideration.
- **Jenkins** – Amby Jenkins noted that she is getting information from online auction companies as a potential way to sell the properties at 31 Upper Drive & 39 Sedgwick Street.
- **Thomas** – David Thomas noted that when Vincent Smith first started with the City that he was asked to compile a list of properties that he was concerned with staying up to code. He asked Mr. Smith if he should do this again, Mr. Smith reported that the program that was implemented is working and that we don't have as many problem properties. Mr. Thomas also asked about some specific properties that were of concern and a discussion took place.
- **Hollen** – Jay Hollen agreed that we don't have as many problem properties and that the code enforcement policies were working.
- **Kimble** – Nothing further.
- **McKisic** – Nothing further.
- **Sanders** - Nothing further.
- **Mayor Skinner** - Nothing further.

There being no further business to be transacted, Motion made by Thomas/Hollen to adjourn at 4:09 pm. Motion carried.

Mayor Robert N. Skinner III _____

City Recorder Randall H. Sanders _____