

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

A Buckhannon Housing Enforcement Board Regular Meeting was held on October 21, 2024, at 5:30 pm in City Hall. The following persons were present:

Mayor	Robbie Skinner	Absent
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	Absent
BFD Chief	J.B. Kimble	Present
UC Safe Sites & Structures Rep	Jerry Wamsley	Present
City Attorney	Tom O'Neill	Absent

Guests: None

*City of Buckhannon Housing Enforcement Board – 5:30 pm in Council Chambers
Meeting Agenda for Monday, October 21, 2024*

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 Vacant Properties Case Status Report
- C.2 Code Enforcement Case Status Report
- C.3 Update on 62 S. Kanawha St-Waterline Replaced & Service Activated on 10/15/24

Correspondence & Information

- D.1 2025 HEB Meeting Schedule

E. Consent Agenda

- E.1 Approval of Minutes – Regular Meeting 07/15/2024

F. Strategic Issues for Discussion and/or Vote

- F.1 Update City Attorney Status on the Condemnation Process
- F.2 Discussion Ordinance No. 367 Vacant Building Procedures for Administration & Enforcement

G. Board Member's Comments and Announcements

H. Adjournment

Posted 10/16/2024

A. Call to Order: Recorder Sanders called the meeting to order, followed by a moment of silence and the pledge to the flag.

B. Recognized Guests: None

C. Department Reports:

C.1 Vacant Properties Case Status Report: Code Enforcement Officer Vincent Smith reported that as of October 16, 2024, 31 properties were currently paying vacant property fees. The report lists 61 properties, 30 of which were added in 2024. Discussion took place on the overall report and specific problems with a property on Meade Street that has an occupant with no water service. Mr. Smith has contacted the occupant and given them two weeks to obtain water service or vacate permanently. A general discussion on the report itself took place. A specific discussion occurred regarding the On Hold listings and a review of why they are on hold. No action was necessary.

VACANT PROPERTIES NOTES (REVISED 10.16.24)

CURRENT

1. 138 BARBOUR-BILLED \$200
2. 140 CAMDEN-BILLED \$200
3. 5 CHESTNUT-BILLED \$200
4. 6 COOPER-BILLED \$200
5. 93 E MAIN-BILLED \$200
6. 15 ELIZABETH-PD \$600, BILLED \$600
7. 1 FACTORY-PD \$600, BILLED \$600
8. 14 HUFFMAN-PD \$600, BILLED \$600
9. 12 LEONARD-PD \$200, BILLED \$400
10. 5 MONONGALIA-BILLED \$200
11. 436 MORTON AVE-BILLED \$200
12. 184 POCAHONTAS-PAST DUE \$600, BILLED \$600
13. 86 RANDOLPH-PAST DUE \$200, BILLED \$400
14. 90 RANDOLPH-PAST DUE \$400, BILLED \$600
15. 97 RANDOLPH-BILLED \$200
16. 44 S FLORIDA-PD \$600, BILLED \$600
17. 60 S FLORIDA-PD \$600, BILLED \$600
18. 119 S FLORIDA-PD \$600, BILLED \$600
19. 121 S FLORIDA-PD \$600, BILLED \$600
20. 139 S FLORIDA-BILLED \$200
21. 198 S FLORIDA-BILLED \$200
22. 205 S FLORIDA-BILLED \$200
23. 105 S KANAWHA-PAST DUE \$600, BILLED \$600
24. 166 S KANAWHA-BILLED \$200
25. 189 S KANAWHA-PD \$600, BILLED \$600
26. 191 S KANAWHA-PD \$600, BILLED \$600
27. 48 W LINCOLN-PAST DUE \$600, BILLED \$600
28. 19 W VICTORIA- PAST DUE \$600, BILLED \$600
29. 111 WOOD ST-PD \$600, BILLED \$600
30. 123 WOOD ST-PD \$600, BILLED \$600
31. 7 ZENO ST-BILLED \$200

19. 37 S FLORIDA ST
20. 29 S KANAWHA ST
21. 35 S KANAWHA ST
22. 143 S KANAWHA ST
23. 193 S KANAWHA ST
24. 41 SPRING ST
25. 34 THURMAN AVE
26. 40 THURMAN AVE
27. 529 UPPER DR
28. 47 W LINCOLN ST
29. 125 WOOD ST
30. 193 WOOD ST

OH HOLD

1. 129 BARBOUR ST-PERMIT
2. 96 E MAIN ST-NEW OWNERS
3. 456 MORTON AVE-PERMIT
4. 115 WOOD ST-NEW OWNER
5. 87 RANDOLPH- TRYING TO SELL
6. 107 RANDOLPH-PAID PAST DUE OF \$400, DEMO PENDING
7. 6 ½ ISLAND AVE- DEMO PENDING

REMOVED

1. 386 MORTON-SOLD
2. 7 FRANKLIN PLACE-WATER ON
3. 22 ELIZABETH- WATER ON
4. 182 FAYETTE ST-WATER ON
5. 1 PARK ST- WATER ON
6. 107 WOOD ST- WATER ON
7. 62 S KANAWHA ST- WATER ON

Mailed out first round 10.9.24

Total Vacant Property Received-\$400.00

Total Vacant Property Billed-\$17,200.00

ADDED- FIRST LETTERS

1. 7 ACADEMY ST
2. 44 CLEVELAND AVE
3. 47 CLEVELAND AVE
4. 6 FRANKLIN ST
5. 62 HIGHLAND DR
6. 14 ISLAND AVE
7. 5 MADISON ST
8. 40 MEADE ST
9. 67 MORTON
10. 69 MORTON AVE
11. 41 N FLORIDA ST
12. 58 N FLORIDA ST
13. 64 N FLORIDA ST
14. 36 N SPRING ST
15. 70 OKLAHOMA AVE
16. 27 PINNELL ST
17. 133 POCAHONTAS
18. 163 RANDOLPH ST

C.2 Code Enforcement Case Status Report—Mr. Smith reviewed the following report containing 21 active cases with the Board.



Case Status Report

07/13/2024 - 10/18/2024

Case Date	Case #	Parcel #	Parcel Address	Owner Name	Tenant	Description	Main Status
-----------	--------	----------	----------------	------------	--------	-------------	-------------

Group: Active

10/16/2024	326	3-7-445	68 SOUTH FLORIDA STREET	HAAS SUZANNE K	Karen Fisher, Homeowner	Someone living in a Pop Up Camper in the rear yard of 68 S Florida St. Electrical cords are connected, appearance of lot: trash & debris	Active
10/10/2024	325	3-14-22	529 UPPER DRIVE	NEWMAN VICTOR R	RYAN DEAN	VACANT PROPERTIES	Active
10/10/2024	324	3-2-58	40 THURMAN AVENUE	PHIPPS NANCY L	MICHAEL WINTER	VACANT PROPERTY	Active
10/10/2024	323	3-2-118	34 THURMAN	LAZY L	SHIRLEY	VACANT	Active

			AVENUE	ENTERPRISES LLC	GIRARD	PROPERTY	
10/10/2024	322	3-4-257	41 NORTH SPRING STREET	BARNHART HOWARD N	BRENDA POLING	VACANT PROPERTY	Active
10/7/2024	321	3-7-2.1	MEADOW STREET	MCCUTCHEON W CALVIN & SANDRA J	Michael Lubin-Owner of Maple Village MHP	Fire at 23 Maple Village MHP (Lot 5E)	Active
10/4/2024	320	3-10-18	17 PARK STREET	SPENCER ROGER L & BONITA F		Corner of Park & Gum Sts- Overgrown shrubbery that is on City's ROW- growing unto the signage, site issues	Active
10/2/2024	319					He had an accident at Rt 20/Main St Intersection- Complain that the traffic light is malfunctioning.	Active
9/9/2024	318	3-11-223	153 RANDOLPH STREET	PHIPPS LESTER JR	JACOB HINZMAN	APPEARANCE OF LOT- GRASS IS 2 1/2 FEET HIGH, TRASH IN THE BACKYARD	Active
9/5/2024	317					AROUND 52 54 SMITHFIELD HIGH GRASS	Active
9/5/2024	316					APPEARANCE OF LOT- A LOT OF YARD DECORATIONS ACROSS FROM 59 BOGGESS UNSURE OF WHICH ADDRESS.	Active
8/26/2024	315	3-11-143	129 CAMDEN AVENUE	CHEWNING LAURA L		Appearance of lot, Overgrown vegetation encroachment on fence	Active
8/21/2024	314	3-10-118	7 TUCKER STREET	LINGER DIANA		Appearance of Lot	Active
8/21/2024	313	3-2-69	3 THIRD ST	DROST MELISSA DEANN	Latasha Urbina-Rosas	Appearance of Lot	Active
8/21/2024	312	3-4-138	36 NORTH KANAWHA STREET	COMMUNITY CARE OF WV INC	Community Care WV Inc	Roof is leaking, parapet wall is damaging the masonry block and brick causing structural damage to the buildings	Active
8/19/2024	311	3-10-84	153 SOUTH KANAWHA STREET	FRYE GAILANN	Michael Cyr	High Grass	Active
8/12/2024	310	3-7-98.4	14 MYRNA STREET	BEVINS TRAVIS JOSEPH	14 MYRNA ST. JOSH & MELIAH CAMPBELL 304-206-2099	THEY ARE CUTTING BRUSH AND THROWING IN TO THE CREEK. CREEK IS LOCATED BEHIND HOUSE. ALICIA IS AFRAID THIS CREATE FLOOD ISSUES	Active
8/7/2024	309	3-13-70	200 RANDOLPH STREET	HINCHMAN VICKY DARLENE	ROBERT L HINCHMAN	Appearance of Lot, Conducting Business without proper license	Active
8/5/2024	308	3-20-3	CAMBRIDGE HEIGHTS DRIVE	M & H APARTMENTS LLC		JOIST HANGER IS ROTTED OFF FOR THE BEAM HOLDING UP THE UPSTAIRS	Active

7/23/2024	307	3-5-44	107 ISLAND AVENUE	KEITH FRED & PAULINE	304-704-6612	Camper, Tents- People living there. AC unit in the tent with power cord connected to main house. Storage & debris along the fence.	Active
7/15/2024	306	3-5-99	126 EAST MAIN STREET	ZIRKLE SHALLE D & LORI M		126 E Main St- (not active at this time) Burning brush, milk jugs, lysol cans- smells the open fire	Active

Group Total: 21

--	--	--	--	--	--	--	--

A discussion took place with a closer review of specific properties. Mr. Smith noted that with the recent revision to the enforcement, the cases are being cleared sooner.

C.3 Update on 62 S. Kanawha St-Waterline Replaced & Service Activated on 10/15/24 – Mr. Smith and Jerry Wamsley reported on the work that has taken place and an overall discussion on the residence qualifying to be a habitable structure. A discussion took place to determine whether further violations and penalties should be imposed. It was determined that we did not have enough information to make that decision at this meeting. Mr. Smith will continue to work on this situation.

D. Correspondence & Information: Recorder Sanders reviewed the following with the board.
D.1 2025 HEB Meeting Schedule

BUCKHANNON HOUSING ENFORCEMENT BOARD
2025 MEETING SCHEDULE

3rd MONDAY OF EACH QUARTER AT 5:30 P.M. AT CITY HALL COUNCIL CHAMBERS

- TUESDAY, JANUARY 21, 2025 (the 20th is a Holiday-MLK Day)
- MONDAY, APRIL 21, 2025
- MONDAY, JULY 21, 2025
- MONDAY, OCTOBER 20, 2025

E. Consent Agenda:

E.1 Approval of Minutes – Regular Meeting 07/15/2024

Hollen/Thomas motioned to approve the minutes of 07/15/2024. Motion carried.

F. Strategic Issues for Discussion and/or Vote:

F.1 Update City Attorney Status on the Condemnation Process – Mr. Smith discussed various situations that need attention. He referenced one property we paid the taxes on but could not secure (take ownership) because the State of WV changed the rules on how people could reclaim their property, and we lost that tax payment. City Attorney Tom O’Neill will need to provide context regarding the issue. City Attorney Tom O’Neill must also weigh in on the overall condemnation process, noting that we have a sample condemnation process from the town of Anmoore. Recorder Sanders will follow up with Mr. O’Neill.

F.2 Discussion Ordinance No. 367 Vacant Building Procedures for Administration & Enforcement—Mr. Smith noted that this was in the packet to explain how the citation system works. A discussion took place as to whether we should have the ordinance rewritten. Further conversations with Mr. O’Neill should take place regarding this issue. Recorder Sanders recommended that Mr. O’Neill be requested to attend all future Buckhannon Housing Enforcement Board.

G. Board Member's Comments and Announcements:

- **Sue McKisic** – Ms. McKisic was absent.

- **Jerry Wamsley** – Mr. Wamsley had nothing further.
- **Vincent Smith**—Mr. Smith asked if he could ask to enter properties to determine the habitability of the residence. A discussion took place with no final determination.
- **Jay Hollen** – Mr. Hollen asked for clarification on the 62 S. Kanawha St-Waterline Replaced & Service Activated on 10/15/24 item. Recorder Sanders noted it would continue to be treated as an active case.
- **David Thomas**—Mr. Thomas had nothing further.
- **Chief Kimble** – Chief Kimble asked for a listing of the vacant properties to be provided to the BPD so they are aware of potential issues.

H. Adjournment: Thomas motioned to adjourn the meeting at 6:18 p.m.

Mayor Robert N. Skinner III _____

City Recorder Randall H. Sanders _____