

**MINUTES
BUILDING AND STANDARDS COMMISSION**

August 13, 1996

4:07 p.m.

Members present: Bill Sullivan, Lee Birkhead, Thomas Robinson, Jim Goldsworthy, Jan Russell

Members absent: Donna Doty, Van Knight

Staff Present: Stephen Gullatt, Roy Lewis, Marcia Browning, Nancy Williams

Visitors: Rod Tyler, Harold Beck

The first and second item of business on the agenda was to call the meeting to order at 4:07 p.m. and to swear in anyone wishing to address the Board.

Roy Lewis stated the approval of the minutes from the June the 11th would be the first item.

Lee Birkhead asked are there any witness present that will be making declarations to the Commity.

Mr. Beck replied I guess I will be as I was asked to be here I assume so.

Mr. Birkhead replied okay so that will be Rod Tyler and Harold Beck and Roy Lewis. Would you all please raise your right hand.

Mr. Birkhead stated do you swear to tell the truth the whole truth and nothing but the truth so help you God?

Mr. Lewis, Mr. Tyler and Mr. Beck replied we do!

Mr. Birkhead asked do I have a motion to accept the minunts from June 11th?

Motion made by Jim Goldsworthy to accept minuntes.

Second by Tom Robinson.

Motion has been made and second to accept the minuntes of June the 11th.

The third and fourth item of business on the agenda was the consideration and action on the determination of the Building Official of the substandard condition of a structure located at 421 N. Weaver St. Case # BS-95-30. 314 & 316 W. Scott Case # BS-95-31

Mr. Birkhead asked does the Building Official have any review about this property at this time.

Mr. Lewis replied yes I do, this one and the next one has been before the commission before, that is why Mr. Beck is here to tell us what the status is on these properties. Mr. Beck who is here wanted to have an auction to auction these properties off. They were in the old Kintz estate. They were auctioned off and I forget the gentleman's name that bought them. He did come up here and told us that there was some kind of problem with the taxes at the time and that was what was holding up the progress. I ran another title search and it did not show any change over from the Kintz estate so that is why I asked Mr. Beck here today. I thought Mr. Beck might be able to tell us what was going on with the new owner and the property.

May it please the commission my name is Harold Beck I'm the successor administrator of the Kintz estate. Since I was here the last time which I think was in December we have had the auction. At which time we had three properties that were associated with this estate. We had successful bid on all three of them. We had most of the funds to close on the other two. Basically what it amounts to is we have the taxes that have not been paid on the other two properties at 314 and 316 W. Scott St. Mr. Barnheart has done the title search for both properties for Mr. Hennesey. All the title work has been done I have paid all the taxes on the 421 N. Weaver and I have paid all but 1400.00 dollars on the property on Scott St. I did not have enough money in the bank to pay all those so what I did was to get the court's approval cash in a public investment account. I am expecting those monies to be in any day. We have the deeds ready. The buyers is ready willing and able to consummate the transaction. I had hoped it would have been before today's date. As soon as the monies come in I will pay the balance due at that time.

Mr. Birkhead asked who pulled the electrical permit on the property ?

Mr. Lewis replied Bill Hennesey, I have not seen anything going on over but they did put a new meter loop on the building and I put down here at the bottom of the permit pending the outcome of this meeting.

Mr. Beck replied it was my understanding that Mr. Hennesey was supposed to be here also. I talked to him about two hours ago. He basically told me that he has full intentions of getting these properties.

Mr. Birkhead asked it has not closed as of yet.

Mr. Beck replied no it has not closed yet.

Mr. Goldsworthy asked what kind of condition are they in at this time.

Mr. Lewis replied there are pictures in the file if you would like to look at them.

Mr. Beck replied basically the estate sale got just what the property was worth. The properties maybe worth more without the buildings than with. I believe we got 1200.00 dollars for each of the properties. So as a result of this we still have the unpaid taxes on the properties at this time.

Mr. Lewis asked, so Mr. Hennesey knows that he will need to come in and get permits once the sale is complete. He also needs to submit plans for whatever remodeling he is going to do.

Mr. Beck replied I assume so I really don't know I have not dealt with him directly as far as any of that. Mr. Barnheart is his council in this so I really don't know.

Mr. Lewis replied at least we know where we stand now.

Mr. Birkhead stated so it sounds like they really mean to do something with this property.

Mr. Beck stated Mr. Hennesey wants to wait and close on both properties at the same time.

Mr. Birkhead asked do you feel assured that they are going to do something with the properties.

Mr. Beck stated he is the one paying the taxes so I assure you that the taxes will be paid as soon as the monies come in. At that point and time I will tender a deed to him to close the deal.

Mr. Lewis asked Mr. Beck to let him know when the deal closes so we can put these properties back on the agenda.

Mr. Beck replied I will do that for you.

Mr. Birkhead asked you have talked with Mr. Hennesey and he is going to be here, right.

Mr. Beck replied that is correct I talked to him about two hours ago and he said that he would be here at that time.

Mr. Goldsworthy asked would option 3 apply in this case?

Mr. Goldsworthy made motion to go with option 3 in this case. Which would allow a repair permit to be applied for within 30 days.

Mr. Birkhead stated we have a motion option no. 3 on three properties two with structures

on Weaver St. and Scott St. do I hear a second at this time.

Mr. Birkhead stated I have a motion and a second by Jan Russell all in favor

AYES: ALL NAYS: NONE ABSENT: Donna Doty ABSTENTIONS: NONE

The fifth item of business on the agenda was consideration and action on the substandard condition of a structure located at 501 N. Clements Case NO. BS-96-08

Mr. Birkhead stated this is a garage. Roy would you tell us about this one please.

Mr. Lewis replied this belongs to Rod Tyler and he had the house torn down but the contractor left the garage. Someone filed a complaint with me so I went ahead and sent him a notice on the garage.

Mr. Tyler stated we are in the process of, well, we just bought the property from Don Lynch and we have cleaned it up a whole bunch. We are in the process of repairing the garage it's not that bad of a structure it's just a three sided building.

Mr. Birkhead asked what are the complaints on the property.

Mr. Tyler replied that he didn't know.

Mr. Lewis replied they are afraid that it might fall down at anytime.

Mr. Tyler stated here is a picture of the garage if you would like to see it. It is a leaning structure but it is almost as expensive to tear it down and haul it off as it would be to just repair it. As you can see it is a small structure. We will do something with it one way or the other. I was just notified of the complaint about two weeks ago and I just have not had time to do anything with it yet.

Mr. Birkhead asked what was the complaint ?

Mr. Lewis replied the complaint was that it might fall down. You have the pictures there.

Ms. Tyler replied there is no fire hazard. There is no electric to the place. No one is living in the place either. Yes it is in need of repair. Yes it is. There are a lot of structures around this town too that need to be taken care of also. We will take care of this problem within 30 days.

Mr. Birkhead asked do we have a motion since he wants to take care of this in 30 days?

Mr. Robinson made motion for option no. 1 to remove or repair within thirty days.

Ms.Russell stated I second the motion.

Ayes all:Nays None,Absent: Donna Doty,Abstentions: None.

The Sixth Item of Business on the Agenda is consideration and action on the determination of Building Official of the Substandard condition of a structure located at 802 N.Gladney Case # BS-96-09. This is for a garage only.

Mr.Birkhead asked Mr.Lewis what is your opinion on this one.

Mr. Lewis replied that we have some complaints on this one as well. As you can tell the roof is falling in on it's self and you can also see there are trees growing out of the roof as well. There is not any thing there to salvage in my opinion.

Mr. Birkhead asked was there any reply to the letters?

Mr. Lewis replied two of them were returned .

Ms.Russell made motion to go with option No. 2

Mr.Birkhead stated I have a motion before me do I have a second at this time.

Mr.Goldsworthy replied I will second the motion at this time.

Mr.Birkhead stated motion and second to excrise No. 2 has been made on the garage at 802 Gladney.

AYES: ALL NAYS: NONE ABSENT Donna DotyABSTENTIONS: NONE

Any other business that needs to come before this board.

NONE

If not then I declare this meeting adjourned at 4:30 p.m.