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MORGAN COUNTY HEALTH DEPT.

**MORGAN COUNTY BOARD OF HEALTH
SPECIAL MEETING MINUTES
May 16, 2025**

CALL TO ORDER:

At 4:00 p.m. President Elaine Flesher called the meeting to order.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Mrs. Flesher with all participating.

ROLL CALL:

Mrs. Flesher called the roll as follows:

Rhonda Smith – Here; Dr. Julia Clemens – Here; Dr. Barbara Murrell – Here; Elaine Flesher – Here.

STAFF PRESENT:

Jeff Michaels, Administrator and Lynn Mercer, Accreditation Coordinator.

GUESTS:

Tom Jenkins, Chief of Police; John Finley, McConnelsville Mayor and Fire Chief; Rick Welch, Prosecuting Attorney; Tonya Dodd, Realtor; and Hollie McGrew, Apperson Brothers.

PUBLIC PARTICIPATION:

Mrs. Flesher asked Ms. McGrew to start by sharing information she has about Mr. David Becker's Main Street property. Ms. McGrew shared that she can't send her guys into the building due to the condition of the building. She said there is a major water leak and electrical wires hanging down. It is not safe for her guys to be in the building due to the possibility of electrocution. In January there was raw sewage in the basement. She isn't sure where the water is coming from, but possibly from underneath the foundation.

Ms. Dodd said she has been in contact with, Steve Gaynier, the man who recently leased the property from David Becker. He was tricked into a lease agreement thinking it was a good deal and that he would make a lot of money. Ms. Dodd has been through the building and feels it is not safe. Slate has fallen off the roof and landed on the sidewalk. This could potentially cause injury or death



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to individuals walking along the sidewalk. She said Mr. Gaynier is afraid he is going to lose everything he has due to being tricked into this deal. After talking to Mr. Gaynier, she suggested having an engineer do a structural inspection. An engineer inspected the building and found it to be unsafe. In addition to structural issues, there are rats as big as cats in the building. Structural walls have been removed. Boards are rotten where water and termites have damaged them. Structural beams are smaller than they need to be to hold up the structure. There is a one-foot difference in elevation from one side of the building to the other. There is mold in the building, holes in windows, leaks in roof, and the floor could possibly give away. Electric in one apartment services a different part of the building. AEP tried to set meters, but it was a mess. This is common throughout the building. There is a breaker box in one apartment, where a woman and four children live, that is hot to the touch. It is a fire hazard.

Ms. Dodd noted that the building inspector wouldn't even go into the attic. She said there is a gap in the windows where pigeons come in. There is a man in another apartment where boards came down. Another apartment has one woman living in it and there is a man living in the garage. In one apartment, Mr. Becker has mounted space heaters on the wall as the only source of heat. There is no ridge point on the roof so water goes in under the roof.

Prosecutor Welch asked Ms. Dodd if Mr. Becker still owns the property. She said he does. Mr. Gaynier is not planning to purchase the property. He has a master lease and signed a 2.4 million dollar promissory note with Mr. Becker. Mr. Becker is trying to sell the property for \$650,000. He lied to Mr. Gaynier and led him to believe there were lots of tenants and he could become rich from rent he would collect. Unfortunately, Mr. Gaynier did not visit the property to inspect it before he signed the lease.

Dr. Murrell asked for clarification on the definition of a "master lease". Ms. Dodd said Mr. Gaynier signed a purchase agreement for multiple properties owned by Mr. Becker that are all lumped into one lease. He also offered "bonus properties" such as the trailers on State Route 60.

Dr. Murrell expressed concern about the tenants being in danger. Ms. Dodd said she manages other properties and is trying to find a property to move the tenants to. Mr. Michaels said other agencies that may help are Jobs & Family Services and Morgan County Metro Housing Authority.

Mayor Finley said the Red Cross may be able to find a place for the tenants for the weekend. He said the electric box Ms. Dodd was referring to is hot because it is arcing and that will cause a fire.

At 4:25 p.m. Hollie McGrew left the meeting.

Chief Jenkins said the last time he was in the building was 2022. At that time there were bugs, mice & rats in the building and a big dip in the flooring. Ms. Dodd said she was in the building in February, March & April and saw huge rats. She said rats were actually chewing on one of the tenant's furniture. Mayor Finley said he talked to that tenant and she is afraid to leave because she



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signed a lease. He told her she could get out of the lease due to the poor living conditions.

Mayor Finley said if there is a water leak of the magnitude described, it has to be going under the foundation. It could eventually cause the building to collapse. If it is condemned, it needs to be demolished before it collapses onto the sidewalk and street.

Mr. Michaels said the immediate concern is getting the people out of the building. Mayor Finley added "and keeping them from going back in". Dr. Murrell clarified that Mr. Becker, Mr. Gaynier, and the tenants would all need to be notified. Prosecutor Welch said the Sheriff's department should serve notice to Mr. Becker and tape off the building or even padlock it.

Prosecutor Welch asked Chief Jenkins to serve Mr. Becker with notice of the Main Street property being condemned. Concern was expressed that Mr. Becker is currently out of town. Prosecutor Welch said, if that is the case, it is ok for the Sheriff to tape the notice on Mr. Becker's door. Prosecutor Welch suggested calling Children's Services for assistance with placing the children who will be evicted.

Dr. Murrell noted that once the building is evacuated, the electric needs to be shut off. Mayor Finley said AEP would do that. Ms. Dodd commented that the woman that has the four children hasn't had hot water in over a month.

Dr. Murrell expressed concern about displacing the tenants. Discussion took place regarding the placement of the tenants. Chief Jenkins contacted Morgan County Children's Services and Mr. Michaels contacted the American Red Cross during the meeting. Mr. Michaels reported that the Red Cross said they could place all of the tenants this evening. Chief Jenkins reported that initially Children's Services suggested the tenants with children would be fine sleeping in their car (if they had one), but called back and said they would put the families with children at the Three Sisters Inn for the evening.

EXECUTIVE SESSION:

At 4:53 p.m. Mrs. Smith made a motion to go into Executive Session to confer with legal counsel concerning impending or imminent court action. Dr. Clemens seconded the motion.

Roll call vote:

Mrs. Smith – aye; Dr. Murrell – aye; Dr. Clemens – aye; Mrs. Flesher – aye

The Board returned to regular session at 5:31 p.m.

Sheriff Jimmy Fisher entered the meeting.

Dr. Clemens made the following motion: Based upon the testimony of McConnellsville Mayor and Fire Chief, John W Finley; McConnellsville Police Chief, Tom Jenkins; Hollie McGrew, Apperson Brothers; Tonya Dodd, Realtor; and a letter from Professional Engineer,



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Mark Hill; I move to find the buildings located in the following locations to be in a condition dangerous to life or health and to be public nuisance:

- 90 West Main Street McConnellsville (Parcel #140-005-020-0)
- 86 West Main Street McConnellsville (Parcel #140-005-810-0)
- West Main Street Lot 40 McConnellsville (Parcel #140-005-820-0)
- 70 West Main Street McConnellsville (Parcel #140-005-830-0)

Dr. Murrell seconded the motion. Roll call vote:

Mrs. Smith – aye; Dr. Murrell – aye; Dr. Clemens – aye; Mrs. Flesher – aye

[Note: In a later motion, this motion was amended by roll call vote to include: 7 South 5th Street McConnellsville and 64 West Main Street McConnellsville.]

Dr. Clemens made the following motion: Based upon finding the premises described in the previous motion, I move that the Board of Health order the immediate removal of any and all persons found in those premises, whether as residential tenants, business tenants, or there for any other purpose. Mrs. Smith seconded the motion.

Roll call vote:

Mrs. Smith – aye; Dr. Murrell – aye; Dr. Clemens – aye; Mrs. Flesher – aye

Dr. Clemens moved that the Board of Health order the Mayor of McConnellsville, the McConnellsville Police Department, the M&M Fire Department and the Morgan County Sheriff to take any and all actions necessary to secure the afore described premises so that no person can enter the buildings until further order of this Board. Dr. Murrell seconded the motion.

Roll call vote:

Mrs. Smith – aye; Dr. Murrell – aye; Dr. Clemens – aye; Mrs. Flesher – aye

Dr. Clemens moved that the Board order the owner and/or person in control of the afore described building to cease any and all use, possessions, occupancy, leasing, or other uses immediately on the date of this order, until further order of this Board. Mrs. Smith seconded the motion.

Roll call vote:

Mrs. Smith – aye; Dr. Murrell – aye; Dr. Clemens – aye; Mrs. Flesher – aye

Dr. Clemens moved that the Board issue an order directing the McConnellsville Police Department and/or the Morgan County Sheriff to serve notice of this Board's orders upon the owner of said premises, Quality Business Investments (David Becker), and upon Steve Gaynier, and upon all persons who are found in the premises. Mrs. Smith seconded the motion.



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Roll call vote:

Mrs. Smith – aye; Dr. Murrell – aye; Dr. Clemens – aye; Mrs. Flesher – aye

Mrs. Flesher noted that the next Board of Health meeting is scheduled for June 12th and Mr. Becker is to appear at that meeting. The Board discussed getting the electric shut off to the building as quickly as possible.

Dr. Murrell made a motion to authorize the Morgan County Sheriff to take any and all appropriate action to notify utility providers to take immediate action to disconnect all utility services at the locations listed in previous motions. Mrs. Smith seconded the motion.

Roll call vote:

Mrs. Smith – aye; Dr. Murrell – aye; Dr. Clemens – aye; Mrs. Flesher – aye

Chief Jenkins noted that there were a couple more addresses in the building that were missed. Mrs. Smith made a motion to amend previous motions to include:

- 7 South 5th Street McConnellsville
- 64 W. Main Street McConnellsville

Dr. Murrell seconded the motion.

Roll call vote:

Mrs. Smith – aye; Dr. Murrell – aye; Dr. Clemens – aye; Mrs. Flesher – aye

ADJOURNMENT:

Dr. Murrell made a motion to adjourn at 5:45 p.m. The next Board meeting will be held Thursday, June 12th at 8:00 a.m.



Elaine Flesher, President



Jeff Michaels, Administrator