



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

APR 03 2015

310 City Hall, 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102
Telephone: (651) 266-8585

We need the following to process your appeal:

CITY CLERK

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number 794158)
 - Copy of the City-issued orders/letter being appealed
 - Attachments you may wish to include
 - This appeal form completed
 - Walk-In OR Mail-In
- for abatement orders only: Email OR Fax

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| <p>HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>April 14, 2015</u></p> <p>Time <u>11:30 a.m.</u></p> <p>Location of Hearing: Room 330 City Hall/Courthouse</p> |
|---|

Address Being Appealed:

Number & Street: 1370 Charles Ave. City: St. Paul State: MN Zip: 55104

Appellant/Applicant: William E. Davies & Allen Anthony Slaughter, Sr. (advocate for Davies) Email: Slaughter:

Phone Numbers: Business _____ Residence 651-645-6298 Cell 651-666-5059

Signature: William E. Davies Date: 04-02-2015

Name of Owner (if other than Appellant): William E. Davies

Mailing Address if Not Appellant's: 1370 Charles Ave. St. Paul MN 55104

Phone Numbers: Business _____ Residence 651-645-6298 Cell _____

What Is Being Appealed and Why? *Attachments Are Acceptable*

- Vacate Order/Condemnation/Revocation of Fire C of O
- Summary/Vehicle Abatement
- Fire C of O Deficiency List/Correction
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

Mr. Davies requests further evaluation in a timely manner that will satisfy the condition and terms of the city inspector.

Mr. Davies has already completed the required percent of work needed to remain in residence in his home and community. (see attachments)

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A small group from Jehovah's Lutheran Church began helping to clean up at Wm Davis' house, Mark after finding out the day before that he had a vacate order in 2 weeks.

We began with removing clutter from the living areas, porch, living room, dining room, kitchen, removing a dumpster full of accumulation.

On Nov. 27 we met at his house and for the first time were made aware of the stipulations pertaining to the basement and bedroom (2nd floor).

Since then we have concentrated on those areas. The S.W. has ^{more} taken an active role in engaging professional help which takes time for assessment as well as actual work.

We are therefore appealing for additional time to complete the clean-up and removal of unneeded items from the house.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street., Suite 220
Saint Paul, MN 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-1919
Web: www.stpaul.gov/dsi

320.0

March 30, 2015

**NOTICE OF CONDEMNATION AS
UNFIT FOR HUMAN HABITATION AND
ORDER TO VACATE
Second Notice**

William E Davies
1370 Charles Ave
St Paul MN 55104-2424

Occupant
1370 Charles Ave
St Paul MN 55104-2424

Allen A. Slaughter
Via e-mail

Dear Sir or Madam:

The Department of Safety and Inspections, Division of Code Enforcement, has determined that the dwelling and premises at **1370 CHARLES AVE** is "Unfit for Human Habitation". In accordance with Saint Paul Legislative Code, Chapter 34, Section 23, the premises was placarded on **March 12, 2015**, and ordered vacated no later than **March 26, 2015**.

Your attention is called to the following provisions of Section 34.23, Subsection 6 entitled, "Vacation of Structure or Unit":

"Any residential structure or residential unit which has been condemned or placarded as unfit for human habitation shall be vacated within the time set forth in the placard and/or order. It shall be unlawful for any person to let to any person for human habitation any structure or unit so condemned or placarded, and no person shall occupy the structure or unit after the date set forth in the placard and/or notice."

**THIS DWELLING SHALL NOT AGAIN BE USED FOR HUMAN HABITATION
UNTIL WRITTEN APPROVAL IS SECURED FROM THE CITY OF SAINT PAUL;
DEPARTMENT OF SAFETY AND INSPECTIONS, DIVISION OF CODE
ENFORCEMENT**

At the request of Allen A Slaughter, Sr., representing the owner, a re-inspection was held on March 27, 2015. This request was made due to the fact it was suggested that considerable progress was made by a volunteer church group to bring the property into compliance.

It was not demonstrated on that date that the property is in compliance, and the condemnation still stands. The original order to vacate is still valid, and has been updated to include additional items as listed below.

Principle Violations: These deficiencies must be corrected before this condemnation and vacate order will be removed.

1. **Smoke Detector: Lack of properly installed and operable smoke detector. Provide functioning smoke detectors in accordance with the attached requirement, within 24 hours.**
2. **MN State Statute 299F.50 Immediately provide and maintain an approved carbon monoxide alarm in a location within ten (10) feet of each sleeping area. Installation shall be in accordance with manufacturers instructions.**
3. **The extreme interior refuse and clutter represents a nuisance; a fire hazard; and an accessibility hazard for occupants, enforcement officer, and emergency personnel.**
4. **The extreme interior refuse and clutter represents a hazard to the occupants - clutter on stairs, and entrance to bathroom is blocked.**
5. **Refuse on stairs leading to sleeping quarters represent an unsafe condition.**
6. **Paper products on the stove constitute a fire hazard.**
7. **Infestation of rodents, and traps have not been made operational. Evidence of mouse droppings. Immediately exterminate and eliminate all rodents from the entire building. Remove rodent harborages in the yard areas**
8. **Food not adequately stored, and presence of fruit flies.**
9. **Inadequate interior maintenance is creating unsanitary conditions.**
10. **Storage of combustible materials adjacent to and on furnace. Store all combustible materials at least 30" from furnace and gas water heater.**
11. **Lack of garbage service: Provide approved containers with tight fitting covers. These containers must be of sufficient quantity and capacity to contain the rubbish and garbage from the unit(s). No rubbish or garbage may be stored outside in plastic bags. Weekly garbage and rubbish removal service is required The Saint Paul Legislative Code requires occupants to properly dispose of garbage and rubbish by placing it in approved containers.**

THE ABOVE VIOLATIONS CONSTITUTE MATERIAL ENDANGERMENT.

Other Violations: These deficiencies must be corrected in order to bring this property into compliance with the Saint Paul Legislative Code.

1. **COMPOSTING:** Remove unapproved compost. Composting of organic materials is permitted only in enclosed containers properly maintained to minimize odors. Containers must be placed five (5) feet from lot lines and twenty (20) feet from habitable buildings. **MATERIALS NOT ALLOWED:** meat, bones, fat, oils, dairy products and other greasy kitchen wastes, whole branches or logs, plastics, synthetic fibers, human or pet wastes, heavily diseased plants.
2. **SANITATION:** Immediately remove improperly stored or accumulated refuse including; garbage, rubbish, junk, vehicle parts, wood, metal, recycling materials, household items, building materials, rubble, tires, etc., from yard. The Saint Paul Legislative Code requires all exterior property areas to be maintained in a clean and sanitary condition. Usable materials must be stored in an approved manner, so as not to constitute a nuisance.

Authorization to reoccupy this/these dwelling unit(s) will not be given until it is demonstrated that all principal violations have been corrected and that no new conditions exist which could constitute material endangerment or which threaten the peace, health, safety or welfare of the occupants of this building. **The occupant is allowed to remove personal items but he cannot stay in the house while this is being done. If the above deficiencies are not completed by April 3, 2015, and an appointment made for re-inspection, the building will enter the Vacant Building program, and be secured from entry.**

All repairs and new installations must be made in accordance with the appropriate codes. Permit information may be obtained from the Building Inspection and Design Section, 375 Jackson Street, Suite 220, (651) 266-8989.

You may file an appeal to this notice by contacting the City Clerk's Office at (651) 266-8688. Any appeal must be made in writing within 10 days of the date of this notice.

It is the responsibility of the property owner to keep all buildings secured and to properly maintain the premises at all times.

If you have any questions concerning this matter, please contact the Inspector, John Peter Ross, at 651-266-1914. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to the inspector.

Sincerely,

John Peter Ross
Enforcement Officer

jr

c: Posted to ENS

uhh60103 4/11

(Habe Permitt, Will Travel)
Mr. Allen Anthony Slaughter Sr.

Legal Research,
Human and Civil Right's Advocate,
Service of Papers, Investigation,
Surveillance, & Executive Protection
Pro Bono

riverstide2025@peoplepc.com



City of St Paul.
Department of Safety and Inspection
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806

From:
Allen A. Slaughter, Sr.
Human and Civil Rights Advocate

This is a response to a Notice of Condemnation under St. Paul City ordinances, Section 34.23, Sub-Section 6. for property 1370 Charles Ave., St. Paul, MN 55104.

Under Section 200.17, Mr. William E. Davis has requested an appeal regarding this recent notice of condemnation.

Mr. Davis was quite ill and did not immediately have the necessary resources or strength to address this issue of condemnation, despite earlier offers of assistance. On March 15, Mr. Davies shared this information with the Bible Study group at Jehovah Lutheran Church.. The group immediately responded with an offer to assist him to remove all items identified for removal, by the City of St. Paul Housing Inspector. Currently we are on schedule to eradicate all items that are dangerous or harmful as instructed by the City Inspector.

By the time you receive this appeal, all the items that the City Inspector had mentioned will have been removed and taken care of and with the continuous input of the Jehovah Lutheran Support group, Mr. Davies health and property will be looked after from this point on.

Attached are statements from several members of the Support Group stating what has been completed and, as mentioned above, what can be personally and professionally shared on a continuing basis.

We are asking for additional time to complete the necessary clean-up. It would not be humane nor productive , but rather counter productive at this time, to condemn the home that will be ready for habitation by the time you receive this letter.

In closing, we are looking forward to hearing from you and at the same time will be continuing with the final small details of homemaking for Mr. Davies and the community.

Sincerely yours,

Allen A. Slaughter, Sr.

Shirley and Maynard's comments re Bill and his house:

An earnest attempt has been made since the home was placarded to meet code requirements. Since the details were not understood by volunteers until just last Monday -- though they could see much needed to be done and were working steadily at some of these very goals --- we feel a further extension of time to be in compliance would be in order.

We certainly feel that the house should remain under Bill's key and not be declared VACANT with whatever consequences this may bring. This is Bill's home to decide what is to become of it if the day comes he needs to leave it.

About Bill: we believe he could live in his home, which is very dear to him -- the home where his mother lived with him, the home he has known for many years himself -- once the house is basically clear and clean IF he hires a housekeeper who comes weekly to keep the house clean and clear. Bill agrees to this readily. He drives, he pays his bills, he attends several social groups, he does his laundry and folds it all neatly, he is a good vegan cook and is very knowledgeable about foods. He suffers with a bad back and other physical aging signs, but he is still able to perform personal care quite well, and he thinks well.

Also, Bill was quite ill and had some surgery over the past year or two. In his stubborn persistence he came home, after a short stay at Episcopal Homes, to take care of himself. Some of the worst clutter and debris came from this period of time.

My name is Lydia Volz and I have been working with the group from Jehovah Lutheran Church helping William Davies clean his home and remove unnecessary and hazardous clutter. I have known Bill for several years since he has been attending the Sunday morning Bible Class at Jehovah Lutheran Church.

I am a Parish Nurse, now retired. Besides volunteering my services for the Jehovah Congregation, I was employed for 6 years at Luther Seminary and previously, three years at Roseville Lutheran Church, as a Parish Nurse. My last full-time position was Director of Nurses at Bethesda Care Center in St. Paul.

As a Parish Nurse, one of my objectives is to promote healthful living by giving information, listening to individual concerns, and directing people to the many resources available in the public sector, including their private physician or clinic.

Working in the context of the faith community, I encourage individuals to be aware of the integration of body, mind and spirit and show how a balance of the three contributes to healthful living.

In addition, I often act as advocate for the individual, making sure they understand the orders issued by professionals, interpreting the consequences of their actions and helping them to make decisions that support a healthy life style. I believe that every person is to be respected as an individual of worth.

Bill is facing some difficult decisions and changes in his situation at this time. Along with the other members of the Bible study group, our goal is to support him to the best of our ability and resources.

Steve Cooley

a handy man

helping you

keep your home maintained and up to date

612-280-0130

HOW FAR HAVE WE COME IN REACHING CODE REQUIREMENTS?

Monday, March 30, was the first time we saw a full explanation of what "Vacation of Structure or Unit" actually meant. It is also the first time we saw a listing of "Principle Violations" of City Code. This has helped us see specific requirements and clarify goals as follows:

Taken point by point of "Principle Violations": how much has been done so far.

1. Smoke detectors: Two are now installed and one more ready to install.
2. Carbon monoxide alarm is being purchased and will be installed 3.
3. Pathways through former "extreme clutter" have been cleared and are now wide enough for emergency workers and others to enter. Clutter around edges of DR-LR and upstairs is being removed daily as the volunteers work with Bill.
4. Same as 3, and entrance to bathroom is no longer blocked.
5. Refuse on stairs leading to sleeping have been cleared totally.
6. Paper products on stove have been removed totally.
7. No evidence of fresh rodent droppings have been found; mice are no longer active; all mouse droppings, traces of mice activity have been removed regularly as persons work at de-cluttering and sweeping, vacuuming. Compost pile and areas harboring rodents in hard will all be removed in yard clean up scheduled for Thursday, April 2.
8. Food is all adequately stored; no fruit flies.
9. "Inadequate interior maintenance" is recognized as a problem to be addressed after house clean up by Bill's having a regular housekeeper. This is been part of plan which Bill and VA social worker talked about. He has list of housekeepers given to him by the VA social worker, and he has called one.
10. All combustible materials will be removed totally or to a distance of 30' from the furnace and gas water heater by the professional cleaners coming today for assessment and very soon to complete the job. Bill agreed to pay for this in discussions with the county social worker on March 31.
11. Garbage pick up service will be restored. A list of licensed companies has been printed from the City of St. Paul website. An approved container is/will be in place.

Taken point by point of "Other Violations":

1. Composting: Thursday, April 2, the yard work will include removing the compost pile as now standing. If Bill wishes to continue composting an enclosed container will be used and placed the required 20 feet from habitable buildings and 5 feet from lot ones. Since Bill is a vegan, the food materials not allowed are not a problem. Doesn't have a pet, so no waste.
2. Sanitation: All accumulated trash/junk/ etc will be removed in the planned yard clean up thus making the exterior property areas in compliance.

Agreement between

Jehovah Lutheran Church Support Group and Bill Davies

JLCSG will:

- Dispose of unused items and reduce clutter on first floor
- Box books /papers and keep for sorting by Bill, at his request
- Recycle all magazines except National Geographic and Nexus
- Establish access to first floor rooms
- Organize and clean kitchen.
- Vacuum decluttered areas in porch, living room, dining room, and first floor bedroom

When these items are accomplished the JLCSG's clean-up services will be completed. They will remain supportive as able and as requested by Bill.

Bill Davies will:

- identify books and papers pertaining to project
- identify what is to be saved
- hire a housekeeper for regular cleaning and maintenance of clutter - free environment
- identify work areas for project and home office and keep surfaces clear of nonrelated items
- maintain clear walkways to and through all rooms of house
- arrange for resumption of trash pick-up at least monthly
- regularly take recycling to curb in bins, box or paper bags.
- arrange for exterminator for rodent infestation if needed
- continue to declutter in basement, steps to second floor, second floor bedroom, and garage
- clean up backyard, removing unused materials.

Signed

William F. Davies

Date

2 April 2015

Log of engagement with Bill Davies by the Jehovah Lutheran Church Support Group (JLCSG)

Sunday, 3/15 – After Bible Class Bill mentioned he had received notice to VACATE his house by March 26, and he was distraught. Jehovah's Care Ministry was willing to help him, and he invited them to come to his home.

Monday, 3/16 – Five members of Care Ministry went to Bill's home at 1370 Charles, could see that the home needed an immense amount of attention, and began work. Bill showed us a document he had prepared telling of a life-long project he wished to preserve and was worried that it would be lost in the clean up. Group agreed to save any architectural drawings/papers for Bill to assess. The past group that cleaned up his house evidently took items, stole money he had saved in big jars, etc, and he is leery of workers in his home. We all agreed Bill would need an extension of time to get house to City code. The Care Ministry will discuss how to move forward as a support group at our upcoming meeting

Hours: 4 people from 3 – 5; 1 persons from 4-5; = 10 hours

Accomplished: Began sorting clutter which was piled high and covered every available surface in the living-dining room, porch, hallway, bedroom and kitchen. (Bathroom was clear)

Removed a huge pile of old food, cans, jars from kitchen; began sweeping up mice droppings which were found throughout the house; dead mice also found. None seemed recent, and Bill said he had tried to close all the entries mice may have used. Began washing kitchen shelves.

Plan: box up papers and books which Bill wanted yet to see, and put them either in the garage or the back bed room for Bill to go through later, in order to make pathways for working.

Tuesday, 3/17 – Bill's VA social worker called to advise Bill to immediately seek an extension of time. She will seek out a housekeeping helper. But, while at Office Max copying his document to send to his VA doctor about his project, Bill met Mr. Allen Slaughter, a pro bono lawyer, who was touched by Bill's story and offered to help him, especially as Bill is a veteran. Bill will rely on Mr. Slaughter to seek the extension and removal of VACATE order.

Hours: 1 person tel calls, e mails: 1 hour

Wednesday, 3/18 – Telephone call from Bill. He has several appointments at the VA tomorrow, Thursday, so we cannot work at his house then. He is excited about a pro bono lawyer he met who will help him.

Jehovah Lutheran's Care Ministry met @ 5:30 p.m. at the church; Mr. Slaughter, the lawyer, came to the meeting. Many questions surfaced. More complete report available if needed. After much discussion it was decided that Mr. Slaughter will visit the City Inspector and ask for an extension/consideration for Bill's house, and the JLCSG will draw up expectations for our work and for Bill. Lydia and Shirley D. will meet to do that.

Hours: 8 persons each 1 hours = 8 hours

Thursday, 3/19 – Lydia and Shirley drew up tentative agreement to be shared with JLCSG folks.

Bill called wondering about the meeting. We told him we will begin work at his house this Friday and Saturday at 2 p.m. each day. He is missing some items since we sorted; we directed him where to look and promised to help look for them.

Hours: 2 persons each 1 ½ hours – 3 hours

Friday, 3/20 – 9 persons came to work. The men helped Lydia and Bill sort out and clear the front porch so that boxes can be put out there as clutter is packed up. Lydia vacuumed porch area. The men gathered and hauled trash and took a load to Goodwill. The others continued with de-clutter, boxing, trashing, recycling and kitchen cleaning. Porch is place to gather recyclables before putting them out each Wednesday evening for Thursday pick up.

Hours: 9 persons at 2 ½ hours each = 22 ½ hours

Saturday, 3/21 – 4 persons continued the work as above. Cleaning the main section of the refrigerator took most of 2 hours; there were bags of decayed food and much outdated food. There is no light in refrigerator; we think he cannot see what is in there. The box with Bill's good shoes seems to have been misplaced. We have ascertained that it did not go to Goodwill, is not in the garage and is not in the dumpster. Bill has 5 pillowcases full of laundry which he says he will do soon. His home washer is broken; he uses a Laundromat now.

Hours: 4 persons, each 3+ hours – 13 hours

Monday, 3/23 – Bill called to say that the plumbers were working in both the upstairs and downstairs bathrooms. There was no water; we did not go to work.

Tuesday, 3/24 – 4 people continued working. Lydia is working piece by piece with Bill in sorting his clothes and the downstairs bedroom. Whoever helped Bill "clean" before dumped everything in the back bedroom in order the clear out other areas, so there is much sorting to be done of clothes, linens, kitchen items, books, etc. etc. JaNell is putting some packed up boxes of books in this room for Bill's future attention/sorting. Other packed up boxes of papers are going to the garage for Bill's future attention/sorting. We can now walk through the living room. Kitchen continues apace with throwing out expired, unuseable food, sorting out pots and pans, scrubbing shelves, cupboards, pans; cleaning window area and shelves. Bill as yet has no trash removal company. He composts food and has been taking other items elsewhere to slip into their trash. M & S took 7 boxes of items to rummage sale storage at church.

Hours: 4 people at 3+ hours = 13 1/2 hours

Wednesday, 3/25 – 4 people continued working. Bill did part of his laundry; Lydia assisted him in putting it away and took remaining 3 bags of laundry to his car for him to take to Laundromat sometime. Lydia vacuumed Bill's clothes closet in downstairs bedroom (he sleeps upstairs but keeps his clothes downstairs). JaNell tried to clean venetian blinds on windows in kitchen; caked thick dirt. Removed boards and tools from kitchen to garage. Shirley scrubbed and sorted shelf of food items in kitchen and frying pans in oven. Maynard vacuumed sofa and whatever rug areas are clear. All are quite dirty. Maynard and JaNell stacked many boxes on front lawn for recycling tomorrow – 50-60 cubits, mostly paper from clutter.

Work done by Maynard at Bill's home at 1370 Charles Avenue

March 16 – first visit to home; began sorting clutter. Could barely walk through rooms.

March 18 – attended Care Ministry meeting to plan how to help Bill.

March 19, 20, 21, 24, 25, 27, 30 and 31 – morning runs to nearby stores to get useable cardboard boxes for packing items at Bill's home; at least 3 hours per afternoon at Bill's. Worked mostly in dining room area to pack paper for re-cycling, or for saving for Bill to go through later to identify wanted items. Papers covered floor, all surfaces, and there was barely room to walk. NOW one can walk in the dining room, the table is clear, the rug has been vacuumed in cleared areas. Two more days should pretty well clear the dining room. About 50 cubic feet of paper was re-cycled from dining-living room area so far.

Also cleared stairwell leading to basement removing tools to garage and putting old and unuseable items in trash. Worked In yard consolidating trash for removal.

Hours so far: 30 +

Work done by Shirley D at Bill's home at 1370 Charles Avenue

March 16 – visit to assess needs; began work in kitchen, removing a large pile of trash, old cans, jars, food peels and scrubbing that area making a larger pathway through the kitchen. Began cleaning ALL kitchen cupboards.

March 18 – attended Care Ministry meeting to plan how to help Bil.

March 19, 20, 21, 24, 25, 27, 30 and 31 -- telephone calls / emails to organize workers and implement work – mornings from home; all afternoons at Bill's – the first five days almost exclusively in the kitchen removing all items from cupboards, discarding old and expired material, cleaning shelves and returning useable items and dishes etc. Refrigerator main compartment thoroughly cleaned and scrubbed; all old food removed and newly purchased items placed toward front where he could easily see them to use. No light in refrigerator so hard to see. Kitchen shelves on two walls, stove oven, sinks, under sink, small shelf, spice cabinet storage all emptied, sorted, cleaned. Kitchen is quite useable, and Bill uses it well and likes to cook. Removed all paper notes from stove hood and stove.

After kitchen work, worked upstairs with Bill to begin sorting drafting materials. Cleared the stairwell going upstairs of all stored items. Sorted papers and old mail, newspapers and books in corner of dining room.

Hours so far: 33+

Work done by Shirley M, JaNell K, Jeanne W and Katherine M in Living Room +

March 16 – Shirley M – sorted books in living room; packed some in boxes for storage.

Assessed upstairs briefly; started Bill on sorting shoes. Jeanne helped clean up pile of accumulated trash in kitchen.

March 18 – Jeanne and Katherine attended Care Meeting to plan how to help Bill.

March 20 - Jeanne and JaNell worked 3 hours sorting living room papers, books, trying To clear sofar and floor.

March 21 – JaNell K and Katherine M organized living room shelf and books, helping Bill Select items for rummage sale, recycling, trash and save.

March 24 and 25: JaNell K cleaned window area in kitchen, removed tools to garage; papers.

March 27 – Jeanne W participated in meeting with county/city; sorted papers

Hours by this group: 20 +

Work done by Dick Newman, Dick Westphal, Keith Hobbie and Jim Kinsel

March 20 – These men worked with Lydia and Bill to sort front porch, take items to Goodwill, remove trash bags (5 big ones) with their trailer, clear front porch, stacked recyclables on lawn for pick up.

Hours by this group: 10 +

Note: On March 23 plumbers were working at Bill's, there was no water; crew could not work.

On March 26 Lydia and Shirley met to plan further work and make an agreement for Jehovah Lutheran Church Support Group (JLCSG) and Bill to sign. This was presented at the March 27 meeting but dismissed in light of the county and city's immediate demands that Bill move out that very day.