

CODE ENFORCEMENT BOARD

A meeting of the Indian River County (IRC) Code Enforcement Board (the Board) was held in the Commission Chambers at the County Administration Building, 1801 27th Street, Building "A", Vero Beach, Florida on Monday, January 23, 2012 at 1:30 p.m.

Present were Chairman **Keith Hedin**, Businessman Appointee; Vice Chairman **Joe Petrulak**, Subcontractor Appointee; **Karl Zimmermann**, Realtor Appointee; **Cliff Suthard**, Member-at-Large Appointee; **John Owens**, Engineer Appointee; and **Joe Garone**, General Contractor Appointee.

Let the record show there is a vacancy for an Architect Appointee.

Also in attendance was IRC staff: Roland DeBlois, Environmental and Code Enforcement Chief; Betty Davis, Vanessa Carter Solomon, Rose Jefferson and Kelly Buck, Code Enforcement Officers; Attorney David Hancock, Attorney for the Board; and Darcy Vasilas, Commissioner Assistant District 3, Recording Secretary.

12:27:31 Call to Order

Chairman Hedin called the meeting to order and led all in the Pledge of Allegiance. The secretary called the roll, establishing that a quorum was present.

12:28:40 Election of Chairman and Vice Chairman

The floor was opened for election of Chairman and Vice Chairman for the Code Enforcement Board for 2012:

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Owens, the Board voted unanimously (6-0) to elect Mr. Petrulak as the Chairman of the Code Enforcement Board for 2012.

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Petrulak, the Board voted unanimously (6-0) to elect Mr. Zimmermann as the Vice Chairman of the Code Enforcement Board for 2012.

12:30:11 **Approval of Minutes of November 28, 2011**

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to approve the minutes of November 28, 2011 as presented.

12:30:24 **Attorney's Overview of Board Purpose and Procedures**

Attorney David Hancock, Attorney for the Board, gave a brief overview of the procedures and purpose of the Code Enforcement Board.

12:38:17 **Agenda Additions or Deletions, Consent Items**

Mr. Roland DeBlois, IRC Environmental and Code Enforcement Chief, reported the following cases had either complied, been rescheduled, or were recommended by staff for an extension of time on the Consent Agenda. Cases #2011050026, #2011080124, #2011050226, #2011090168, #2011090130, #2011090210, #2011090260, #2011100103, #2011100095, #2011090183, #2011090216, #2011090225, and #2011090041 - 30 day extension until February 24, 2012. Cases #2011020073 and #2011090022 - 60 day extension until March 23, 2012. Cases #2011080067, #2011110031, #2011110034, #2011110033, and #2011110067 were rescheduled.

In compliance were Cases #2011100063, #2011110095, #2011110018, #2011100151, #2011110055, #2011110110, #2011110108, #2011110080, #2012010050, #2012010051, #2011060239, #2011080122, #2011030142, #2011080064, #2011090241, #2011100051, #2011100002, #2011100023, and #2011110002.

Mr. DeBlois announced there was one Lien Release Request which should be held at a time certain of 3:00 p.m. He also requested Case #2011100154 be heard first.

12:46:09

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Owens, the Board voted unanimously (6-0) to accept the Consent Agenda with the revisions.

George Perez had sent.

Mr. DeBlois summarized the issue today was the renovations being done without a building permit and not by a licensed contractor. He recommended the Respondent/owner be granted 30 days, until February 24, 2012 to submit a completed building permit application, and 90 days, until April 20, 2012 to obtain the permit and complete the renovations or remove any renovations that had occurred.

12:58:23

ON MOTION BY Mr. Owens, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to grant 30 days, until February 24, 2012 for the Respondent/owner to submit a completed building permit application and 90 days, until April 20, 2012 to obtain the permit and complete the renovations or remove and renovations that had occurred.

The Respondent was not present for this hearing.

12:59:51 **Case #2011110090 – Sandra Snow**

Mr. DeBlois related staff issued a Notice to Appear to the Respondent regarding a property maintenance violation. There was a vacant dilapidated mobile home on the property.

Ms. Betty Davis, IRC Code Enforcement Officer, explained this case came to her attention from neighbors who were concerned with the property being vandalized. Notice was received via certified mail on January 10, 2012 and the Respondent called her when the notice was received. The Respondent had indicated she may try to hire a demolition contractor to remove the residence. Six photographs were submitted into evidence.

Inspector Davis recommended granting 60 days, until March 23, 2012, to either bring the home and additions into compliance with the County's minimum building codes or to remove it from the property.

Ms. Snow testified the home was damaged in the 2004 hurricanes and she had not been able to get a settlement through the insurance company to cover renovations. The property was currently listed for sale as-is and she was involved in a lawsuit with the insurance company. She also reported she had contacted one

demolition contractor but his rate was more than she could afford. Inspector Davis offered to provide a listing of other demolition contractors that may be more affordable.

01:06:26

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Hedin, the Board voted unanimously (6-0) to grant 60 days, until March 23, 2012 to either bring the home and additions into compliance with the County's minimum building codes or to remove it from the property.

The Respondent was present for this hearing.

01:08:20 **Case #2011110096 – William E. Ruetemann**

Mr. DeBlois recapped this case had an issue of a pole barn structure built without building permits; a boat/trailer storage issue in a residential district; and a zoning district use violation resulting from a boat repair business in a residentially zoned area. The Respondent was served with notice of the hearing on January 10, 2012.

Inspector Davis stated this case came to her attention from surrounding neighbors and noted the Respondent had been cited in the past a couple of times for boat repairs and this time the neighbors were complaining about the pole barn built right up to the adjoining neighbor's property line and the painting of boats. Four photographs were submitted into evidence.

Mr. Ruetemann related since he would not be able to pull an after-the-fact permit for the pole barn because it does not meet the 15-foot side setbacks, he would at least like to remove the barn keeping the pieces to be used elsewhere.

Mr. DeBlois asked if the Board had ever entered an Order of Violation in the past when there had been issues of boat repairs. Inspector Davis responded the violations had been cleared before any Orders were issued.

Mr. DeBlois asked if any of the current violations had been brought into compliance. Inspector Davis replied there was only one boat on the property at this time and it belonged to the Respondent. The Respondent ceased the painting on his property and the only other thing remaining was to remove the pole barn and the

commercial equipment from the property.

Mr. DeBlois recommended based upon the past issues and prior violations, he would like to enter an Order that if the violations of boat repair and boat storage occur again a fine would be imposed at \$100 a day. The other part of the motion should allow the Respondent 60 days to resolve the unpermitted pole barn structure by relocating and obtaining the appropriate permits and building it in accordance with the permit or to completely remove the structure.

01:17:48

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Suthard, the Board voted unanimously (6-0) to approve staff's recommendation of granting 60 days, until March 23, 2012, to either relocate the pole barn with the necessary building permit or completely remove the structure and to impose an Order that if the violations of boat repair, other than the Respondent's personal boat, and boat storage, a fine of \$100 per day would be imposed.

The Respondent was present for this case.

01:21:01 **Case #2011110072 – Brandeis Z. Guider**

Mr. DeBlois recapped this was a townhouse with a property maintenance violation of the courtyard. The property was in foreclosure.

Ms. Vanessa Carter Solomon, IRC Code Enforcement Officer, related she received a complaint from neighbors because there was vegetative growth coming from the subject property courtyard into the adjoining quadruplex courtyards.

Inspector Solomon testified the property was posted on January 13, 2012 after attempts at certified and first class mail were unsuccessful. Certified service was received from SunTrust Mortgage on January 12, 2012. She had received calls this morning from a property maintenance company who said they would take care of the issue within a month and the attorney's office representing SunTrust Mortgage called to verify the case was on the agenda today. An Affidavit of Service and three photographs were submitted into evidence.

Mr. DeBlois recommended granting the Respondents 30 days, until February

24, 2012, to resolve the violation.

Attorney Gabriel Itskovich, representing SunTrust Mortgage, stated he had no objection to the recommendation.

01:24:39

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Hedin, the Board voted unanimously (6-0) to grant 30 days, until February 24, 2012 to resolve the property maintenance violation.

The mortgage company representative was present for this hearing.

01:24:56 **Case #2011120010 – Johnnie L. Paris**

Mr. DeBlois related staff cited the Respondent as the land owner as well as a tenant on the property concerning household trash being stored in a shallow hole in the rear yard.

Inspector Buck testified she noticed the hole in the backyard where it appeared household trash was being dumped. Over the course of a couple of weeks, it appeared some of the trash had been removed and the remainder had been burned. This morning it appeared some more of the trash had been removed but now there were tree limbs in the hole. One of the tenants stated he would talk to the person overseeing the property for the Respondent regarding the removal of the trash.

Inspector Buck stated she posted the property on January 13, 2012 after attempts at certified and regular mail were unsuccessful. Staff recommended granting 30 days, until February 24, 2012, to clear the violation. An Affidavit of Service and a photograph were submitted into evidence.

Ms. Shanteria Paris, family member of the Respondent, related Mr. Paris was currently incarcerated and she was trying to take care of the properties.

01:30:33

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Owens, the Board voted unanimously (6-0) to grant 30

days, until February 24, 2012 to remove the junk, trash, and debris on the property.

The Respondent's representative was present for this hearing.

01:30:33 **Case #2011120011 – Johnnie L. Paris**

Mr. DeBlois recapped this case involved an adjoining property to the last case heard and was a vacant residence with violations of junk, trash, and debris. There was an abandoned boat and yard debris on the property.

Inspector Buck testified she posted the property on January 13, 2012 after attempts at certified and regular mail were unsuccessful. An Affidavit of Service and two photographs were submitted into evidence.

Staff recommended finding the property in violation and granting 30 days, until February 24, 2012 to remove the lawn debris and 60 days, until March 23, 2012 to remove the abandoned boat.

Ms. Shanteria Paris, family member of the Respondent, stated she was taking care of the property as the Respondent was incarcerated.

01:34:01

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Owens, the Board voted unanimously (6-0) to grant 30 days, until February 24, 2012 to remove the lawn debris and 60 days, until March 23, 2012 to remove the abandoned boat.

The Respondent's representative was present for this hearing.

COMPLIANCE HEARINGS

01:36:46 **Case #2011110012 - Vero South Property Owners Association (POA)**

Mr. DeBlois recapped this case came before the Board November 28, 2011 relating a development known as Vero South, a planned residential development. A

map was shown and submitted into evidence showing the location of the property. The issue involved a private access road, 21st Court, SW, which was the sole ingress and egress for the Vero South development and an adjoining commercial plaza owned by a separate entity, with a failed culvert rendering the egress lane impassable.

Mr. DeBlois continued when this issue was presented to the Board at the November meeting, staff advised the Board they were working on a consent agreement with the POA and the County for the County to do the repair work and assess the Respondent the cost of the work granting one year for repayment. The estimated cost for the work was approximately \$22,000. The Board did find a violation had occurred and that the road was not maintained as it should be according to the site plan compliance, health and safety issues, and the Board gave the Respondents until December 23, 2011 to obtain the required permits, replace the failed culvert crossing, repair the pavement of 21st Court, SW and maintain the road in good condition thereafter. It was pointed out that although the commercial plaza owners had an access easement for the private road they do not have any maintenance obligation for the road.

Subsequent to the Board's Order Finding Violation, the proposed consent agreement between the County and the Respondents went before the Board of County Commissioners (BCC) on December 13, 2011 to either approve or not approve this proposed agreement. At the December 13, 2011 meeting, the BCC chose not to enter into the agreement as they did not want to set a precedent of the County doing work to repair private roads on private property.

More recently, once the owner of the commercial plaza, Mr. Lawrence Barkett, learned the County was not going to perform the repair work, appeared before the BCC on January 10, 2012, proposing to pay for half of the repair work if the County proceeded with the work and once the work was completed the cost would be assessed against the POA for which Mr. Barkett's brother, Attorney Bruce Barkett, would try to legally recover costs and represent the County in recovering the costs of the repair work. At that January 10, 2012 BCC meeting, the Commission did approve that proposal so the County Attorney staff were working with Mr. Barkett in putting that proposal into an agreement. The IRC Public Works staff were ordering a culvert and moving forward with the repair work which is anticipated to be completed in mid-February, 2012.

Mr. DeBlois reported after the BCC initially rejected the consent agreement, staff learned through Ms. Claudia Alvarez, Secretary of the POA, that the POA

essentially dissolved and went into receivership because of foreclosures and other issues. Staff's position was the fine should be imposed for lack of compliance at \$100 per day starting December 24, 2011. In the next couple of weeks the work should be completed and the violation would be resolved at which time the fine would stop; however, staff was also recommending the Order Imposing Fine would also account for costs of County repair.

Ms. Claudia Alvarez related she disagreed with the fine being imposed because when they were told the County would be doing the repairs and the contract was signed by her agreeing to those repairs, they were never told the contract had to be sent to the BCC for approval. She understood she was signing the contract to get the work going.

Ms. Alvarez explained all but five of the homes in the development were in foreclosure and the POA did not have any outstanding bills so they could have the money available once the banks had taken over the vacant properties and began paying the association dues. Ms. Alvarez also stated that since she signed the proposed contract, she has resigned as an officer of the POA.

A lengthy discussion ensued as to whether or not the fine could be imposed based on the series of events described.

02:02:09

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Hedin, the Board voted unanimously (6-0) to grant a 30 day extension, until February 24, 2012 to allow the repairs to be completed and have the final costs, including administrative costs, expended for this case to be included in the amount held as a lien against the property owners association.

The Respondent's representative was present for this case.

LIEN RELEASE REQUEST

02:08:57 **Case #2009100079 – Deborah R. Breski**

Mr. DeBlois related this case involved an Order Imposing Fine the Board had entered against the subject property effective January 23, 2010 for a violation of junk, trash and debris. The property was in foreclosure and was brought into

compliance on October 18, 2011 resulting in 633 days in noncompliance with a flat fine of \$63,300.

Mr. John Gaffney recently contacted staff regarding the lien because he was trying to purchase the property through a short sale. He wished to ask for a reduction of, or rescinding the fines to allow him to purchase the property.

Mr. Gaffney testified he had offered to purchase the property for \$55,000 and the bank accepted \$57,500 but they did not accept any of the liens. He asked the Board to reduce or waive the fines.

Mr. DeBlois recommended reducing the fines to cover administrative costs in the amount of \$2,000.

02:16:30

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to reduce the fine to \$2,000 to cover administrative costs.

A potential buyer of this property was present for this hearing.

Chairman Petrulak called for a break at 3:23 p.m. and the meeting resumed at 3:30 p.m.

Mr. Garone resigned from the Board and left the meeting at 3:23 p.m.

EVIDENTIARY HEARINGS

02:18:27 **Case #2011100131 – Jennifer Ware**

Mr. DeBlois recapped this property was cited with violations of junk, trash, and debris; overgrown weeds; and junk vehicles.

Inspector Davis testified she received service by certified mail on January 10, 2012. She spoke with the Respondent's son who indicated they were working on obtaining bids to remove the vacant mobile home on the property and removal of the junk vehicle. Two photographs were submitted into evidence.

Staff recommended granting 60 days, until March 23, 2012 to bring the property into compliance.

02:19:53

ON MOTION BY Mr. Hedin, SECONDED BY Mr. Suthard, the Board voted unanimously (5-0) to grant 60 days, until March 23, 2012 for compliance.

The Respondent was not present for this hearing.

02:20:08 **Case #2011100125 – Phillip Mark Cowan & Lisa Luongo**

Ms. Rose Jefferson, IRC Code Enforcement Officer, recapped the property was posted on January 13, 2012 after attempts at certified and first class mail were unsuccessful. The cited violations were overgrown weeds; swimming pool maintenance and swimming pool enclosure violations. The overgrown weeds violation had been resolved, but the swimming pool was still dirty and a tree had fallen onto the pool enclosure. An Affidavit of Service and two photographs were submitted into evidence. Staff recommended granting 30 days, until February 24, 2012 to bring the remaining violations into compliance.

02:21:57

ON MOTION BY Mr. Hedin, SECONDED BY Mr. Owens, the Board voted unanimously (5-0) to grant 30 days, until February 24, 2012 to bring the property into compliance.

The Respondent was not present for this hearing.

02:22:17 **Case #2011090237 – Anthony & Trena G. Pickup**

Inspector Jefferson related this property was posted January 13, 2012 after attempts at certified and first class mail were unsuccessful. Certified service from the attorney for the bank, GMAC Mortgage, LLC, was on January 6, 2012. The cited violation was overgrown weeds. The property was currently in foreclosure. An Affidavit of Service and a photograph were submitted into evidence. Staff recommended granting 30 days, until February 24, 2012 to correct the cited violation.

02:23:13

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Hedin, the Board voted unanimously (5-0) to grant 30

Inspector Solomon stated the property was not in foreclosure but the property owners had moved out and there had been no contact. Staff recommended granting 30 days, until February 24, 2012 for the violations to be brought into compliance.

02:31:23

ON MOTION BY Mr. Owens, SECONDED BY Mr. Zimmermann, the Board voted unanimously (5-0) to grant 30 days, until February 24, 2012 for the violations to be brought into compliance.

The Respondent was not present for this hearing.

02:31:29 **Case #2011110003 – Joel R. Kist**

Inspector Solomon testified she received service on January 13, 2012 by certified mail. This was a vacant residence with a cited violation of overgrown weeds. There was a lot and-a-half, the front year had been mowed but the half lot and the rear lot had not been mowed. One photograph was submitted into evidence and staff recommended granting 30 days, until February 24, 2012 for the violation to be brought into compliance.

02:32:28

ON MOTION BY Zimmermann, SECONDED BY Mr. Owens, the Board voted unanimously (5-0) to grant 30 days, until February 24, 2012 for the violation to be brought into compliance.

The Respondent was not present for this hearing.

02:32:32 **Case #2011110042 – James Mayes & Ronald Uhland**

Inspector Solomon related this property was posted on January 13, 2012 after attempts at certified and first class mail were unsuccessful. This was a vacant residence with cited violations of pool maintenance and swimming pool enclosure. The swimming pool enclosure has been resolved by the securing of the doors making the pool inaccessible. The pool is not being maintained. An Affidavit of Service and a photograph were submitted into evidence. Staff recommended

Zimmermann, the Board voted unanimously (5-0) to grant 30 days, until February 24, 2012 to bring the pool into compliance.

The Respondent was not present for this hearing.

COMPLIANCE HEARINGS

02:36:30 **Case #2011020039 – Alan & Kelli Walton**

Inspector Solomon related this was a commercial warehouse that initially came to the Board on June 27, 2011 for an Evidentiary Hearing at which time the Board found the Respondent was in violation for having an illegal structure in the County right-of-way or easement (a dumpster); illegal vehicle parking in the right-of-way; and a use established without site plan approval for the outside storage and the improvements that were made without site plan approval. The Respondent was given 90 days to bring the violations into compliance. After that 90 day period the Respondent contacted her and stated he had some issues and asked for an additional time frame and would be working with IRC Community Development staff in working towards resolving the issues. To date, the Respondent had not scheduled any type of pre-application conference to move forward with the site plan approval. There was still a great deal of outside storage, vehicle parking and the dumpster was still being stored in the right-of-way.

Staff recommended the \$100 per day fine be imposed with a start date of December 24, 2011.

02:38:00

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Hedin, the Board voted unanimously (5-0) to impose the \$100 per day fine with a start date of December 24, 2011.

The Respondent was not present for this hearing.

02:38:08 **Case #2011090154 – Robert & Valerie Hill**

Inspector Buck testified this case came before the Board on November 28, 2011 with a violation of an unmaintained swimming pool. The property was posted and certified and first class mail was attempted to Robert & Valerie Hill who were the

listed owners along with the bank, BAC Home Loan Servicing who had started foreclosure proceedings. No contact had been made with either of the owners. Upon inspection today, the swimming pool was secured but was still unmaintained.

Staff recommended the \$100 per day fine be imposed with a start date of January 21, 2012.

02:39:08

ON MOTION BY Mr. Hedin, SECONDED BY Mr. Suthard, the Board voted unanimously (5-0) to impose the \$100 per day fine with a start date of January 21, 2012.

The Respondent was not present for this hearing.

02:39:11 **Case #2010050118 – 45th Street Commerce Inv., LLC**

Mr. DeBlois recapped this case originally came before the Board on April 25, 2011 for an Evidentiary Hearing. The Board entered an Order Finding Violation. At that time, James Staggs, the tenant of the property attended the meeting. This is a salvage yard property that has remaining issues of health and safety hazard of structures; repairs being done on mobile homes on the property without permits; accumulation of tires; and an auto repair business. The Board initially gave the Respondent until July 22, 2011 to obtain after-the-fact permits for any improvements or repairs to structures; obtain final sign-offs for those permits; remove any improperly stored tires posing a mosquito breeding hazard; and obtain site plan approval for an auto repair business on the property that was being established. Extensions were granted, the latest granted on November 28, 2011 giving the Respondent until January 20, 2011 to comply.

Mr. DeBlois continued since this case was started there had been a change in ownership on October 27, 2011. Inspector Buck testified she was on the site on January 11, 2012 and there was no evidence that Mr. Staggs was still operating on the site. There was, however, some debris left on the site by him.

Mr. DeBlois inquired from the standpoint of the issues cited; repairs being done without permits; accumulation of tires improperly stored; and auto repairs; which of those issues were still unresolved.

Inspector Buck replied auto repairs were no longer being done on site; two of the trailers previously on the site had been removed but placed in a pile further back on the property; there was an accumulation of junk and debris underneath one of the overhangs on the property and the large pile of tires in the back had become larger. Building alterations had also been done without proper building permits.

Mr. DeBlois asked Attorney Hancock since the period of time that had gone by since the initial Evidentiary Hearing and there were still some unresolved issues; there had been a change in ownership and the tenant that was previously on the site was no longer there; could the Board still proceed with the Order Imposing Fine.

Attorney Hancock recommended imposing the fine against 45th Street Commerce and the subject property. In the meantime, attempts would be made to get in touch with the new owner and if they were cooperative in the clean-up then staff would come back to the Board with recommendations to that effect.

02:46:18

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Suthard, the Board voted unanimously (5-0) to impose the fine of \$100 with a start date of January 21, 2012.

The Respondent was not present for this hearing.

02:46:37 **Case #2011080069 – John F. Everett**

Inspector Davis recapped this case originally came before the Board on October 24, 2011 for an Evidentiary Hearing with violations of junk, trash, and debris and an unsecured vacant structure. There was an Order Granting Extension given on November 28, 2011 with a compliance date of December 23, 2011. When she visited the site on January 19, 2012, the hot tub that was dumped in the front yard was still there and the mailbox still was on the ground. She had talked to bank representatives on two occasions who indicated the violations would be cleaned up but nothing has been done. The residence had been secured so the only violation remaining was the junk, trash and debris. One photograph was submitted into evidence.

Staff recommended imposing the fine of \$100 per day beginning on December 24, 2011.

The Respondent was not present for this hearing.

02:49:57 **Case #2011070202 – Eric S. Szymckec**

Inspector Jefferson testified this was a foreclosure that originally came to the Board for an Evidentiary Hearing on October 24, 2011. Upon inspection of the property this morning the violation of overgrown weeds had not been brought into compliance. One photograph was submitted into evidence. Staff recommended imposing the fine of \$100 per day with a start date of December 24, 2011.

02:50:50

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Hedin, the Board voted unanimously (5-0) to impose the fine of \$100 per day with a start date of December 24, 2011.

The Respondent was not present for this hearing.

02:50:58 **Case #2011090052 – Earl R. & Betty Thomas**

Inspector Jefferson related this case initially came to the Board for an Evidentiary Hearing on October 24, 2011 for an overgrown weeds violation. There was one extension granted on November 28, 2011. She inspected the property this morning and the yard was in the same condition. One photograph was submitted into evidence. Staff recommended imposing the fine of \$100 per day with a start date of January 21, 2012.

02:51:50

ON MOTION BY Mr. Owens, SECONDED BY Mr. Zimmermann, the Board voted unanimously (5-0) to impose the fine of \$100 per day with a start date of January 21, 2011.

The Respondent was not present for this hearing.

02:52:06 **Case #2011100027 – James L. Franks & Brenda K. Williams**

Inspector Solomon recapped this case initially came to the Board for an

Evidentiary Hearing on November 28, 2011 at which time the Board entered an Order for a property maintenance violation due to overgrown grass on the side and rear yards; junk, trash and debris; and a swimming pool maintenance violation. The Respondents were given 30 days, until December 23, 2011 to resolve the violations. She inspected the property this morning and all the violations remain. Three photographs were submitted into evidence. Staff recommended the fine be imposed with a start date of December 24, 2011.

02:53:09

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Owens, the Board voted unanimously (5-0) to impose the fine of \$100 per day with a start date of December 24, 2011.

The Respondent was not present for this hearing.

02:53:19 **Case #2011090112 – P. Scott McCracken**

Mr. DeBlois related this was a property with a violation of overgrown weeds that came before the Board November 28, 2011 for an Evidentiary Hearing at which time the Board granted the Respondent until December 23, 2011 to resolve the overgrown weeds.

Inspector Jefferson testified she visited the property this morning and no mowing had occurred. She submitted one photograph into evidence and recommended the fine of \$100 per day with a start date of December 24, 2011 be imposed.

02:54:10

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Owens, the Board voted unanimously (5-0) to impose the fine of \$100 per day with a start date of December 24, 2011.

The Respondent was not present for this hearing.

02:54:16 **Case #2011090183 – Daniel T. Glover & Dawn V. Sifford**

Inspector Jefferson related this case initially came to the Board on November 28, 2011 for an Evidentiary Hearing concerning an overgrown weeds violation. She

was on site this morning and the property had not been brought into compliance. Two photographs were submitted into evidence. Staff recommended imposing the fine of \$100 per day with a start date of December 24, 2011.

02:55:39

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Hedin, the Board voted unanimously (5-0) to impose the fine of \$100 per day with a start date of December 24, 2012.

The Respondent was not present for this hearing.

02:56:07 **Authorization for Notices to Appear**

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Hedin the Board voted unanimously (5-0) to authorize the Notices to Appear for cases leading up to the February 27, 2012 meeting.

Other Matters

There were none.

Adjournment

There being no further business, the meeting was adjourned at 4:01 p.m.