

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, November 24, 2014 at 1:30 p.m.

Present were Chairman **Pete Clements**, General Contractor Appointee; **Tony Gervasio**, Member-at-Large Appointee; **Joe Petrulak**, Subcontractor Appointee; **Karl Zimmermann**, Realtor Appointee; Vice-Chairman **Aaron Bowles**, Engineer Appointee and **David Myers II**, Businessman Appointee (arrived 1:34 p.m.).

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

Also in attendance was Attorney Jennifer Peshke, Attorney for the Board; IRC staff: Roland DeBlois, Environmental and Code Enforcement Chief; Betty Davis, Vanessa Carter Solomon, Rose Jefferson and Kelly Buck, Code Enforcement Officers; and Reta Smith, Recording Secretary.

10:37:10 Call to Order

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

10:38:30 Approval of Minutes of October 27, 2014

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Bowles, the Board voted unanimously (5-0) to approve the minutes of October 27, 2014 as presented.

Mr. David Myers II, Businessman Appointee arrived at 1:34 p.m.

10:38:50 Attorney's Overview of Board Purpose and Procedures

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

10:44:27 Agenda Additions or Deletions, Consent Items

Mr. Roland DeBlois, IRC Environmental and Code Enforcement Chief,

for sea turtle protection lighting on October 9, 10, 11 and 18, 2014 when IRC staff determined there were violations based on information received. He noted the fine amount for each day of violation was \$50.00 per day and the citation was in the amount of \$200.00 for four nights of documented sea turtle lighting violations, and the Respondent had elected to appeal the citation.

Mr. DeBlois showed on the overhead projector and submitted into evidence Section 932.09, subsection 4(a) and (d) of the County's Ordinance relating to Coastal Management, adding the citation was issued particularly with reference to interior lighting from the subject property being visible from the beach after 9:00 p.m. He recapped on July 17, 2014, staff issued a warning letter to the Respondent advising of IRC sea turtle lighting requirements based on information received that interior lights were visible on the beach from the property and recommended the window coverings be closed at night during sea turtle nesting hatchling season, or potentially be subject to a fine.

Mr. DeBlois related after sending out the warning letter, IRC staff received an email dated September 15, 2014 from Attorney Barry Segal, representing the Respondent, outlining certain measures taken to comply, and a copy of this is on file in the Commission Office. He continued IRC staff subsequently received more information that compliance was not being achieved, which ultimately led to the issuance of the citation.

Dr. Miles Conway, 2340 South A-1-A, Vero Beach, confirmed he had sent an email dated October 15, 2014 to Mr. DeBlois with information on lighting violations he had observed coming from the subject premises as shown on photographs submitted into evidence. He testified at various dates in September and October, 2014 he sent those photographs taken on his iPhone to Mr. Rick Herren, IRC Environmental Specialist, showing lighting issues he had observed from the beach at different times.

Mr. DeBlois showed on the overhead and submitted into evidence a section of Chapter 932 of the code stating "illuminate means any light source which is visible from two feet or less in height on the beach area, or any lighting which creates a discernible shadow on the beach area". Dr. Conway opined the illumination he had observed from the subject property met that definition.

Mr. Rick Herren, IRC Environmental Specialist, discussed the required nighttime lighting surveys conducted as per the County's Habitat Conservation Plan and expressed his opinion that based on the photographs the light emanating from the subject property met the definition contained in the code.

Mr. DeBlois summarized it was staff's conclusion the photographic evidence and overall information indicated there were four violations after 9:00 p.m. on the dates cited in the citation and recommended the Board uphold Citation #2014100110.

The Respondent's mother, Ms. Sharon Kramer, 3 Royal Palm Pointe, Vero Beach, testified the photographs dated October 9, 2014 taken at 9:25 and 9:26 p.m. showed exterior lights and not interior lights because the drapes were pulled at the time. She stated after the warning notice had been received, blackout shades had been installed on the windows and instructions posted for anybody renting the home regarding the need to pull the drapes because of sea turtle actions.

Attorney Barry Segal, representing the Respondent, gave a PowerPoint presentation, a copy of which is on file in the Commission Office. He pointed out there was a significant amount of vegetation along the perimeter between the Respondent's house and the beach and maintained the only thing visible from the beach within the two foot limit was the roof of the house. He stated there was no evidence that the photos of the subject property presented in evidence were taken from the beach; but they could have been taken from other vantage points.

Mr. Herren stated he had not personally observed the alleged violations on the dates the photographs were taken; however he had looked at the property from the beach in the past and had seen interior light coming from the third floor windows on both the east and the north side. He acknowledged the subject property had vegetation blocking it from certain angles on the beach and if the property was entirely blocked from all directions it would not be a violation; however the if light could be seen from one direction it would be a violation and it would depend on where someone was standing on the beach.

Mr. Petrulak noted Ms. Kramer was no longer present and asked if either she or Attorney Segal could 100% without a doubt say the drapes were closed after 9:00 p.m. when the subject property was occupied. Attorney Segal admitted nobody could be sure if the drapes were drawn; but it was more an issue of if the lights were visible since even the vegetation had changed since Mr. Herren conducted his last site inspection of the area.

Discussion followed about the photographic evidence.

Attorney Segal pointed out the window in question faced north and maintained the code applied only to windows facing the ocean.

Mr. DeBlois stated staff's position was there was sufficient evidence and direct testimony under oath from the person who took the photos, with corroborating information from Mr. Herren, that light was visible from the beach when the drapes were open on the third floor of the subject property. He added it was also staff's position if the light could be seen from the beach it would mean the window faced the ocean, and recommended the Board uphold the citation.

12:02:29

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Petrulak, the members voted (4-2) to rescind the fine and not to uphold Citation #2014100110. Mr. Meyers II and Mr. Bowles opposed.

It is noted for the record the Respondent's attorney was present for this hearing.

EVIDENTIARY HEARINGS

12:02:49 **Case #2014090106 – Gary Dean Compton**

Ms. Rose Jefferson, IRC Code Enforcement Officer, submitted four photographs taken November 11, 2014 into evidence and related she had received complaints about an untagged jeep and a box truck being used for storage, adding the overgrown weeds violation was in compliance.

Respondent Compton testified the van was actually a motor home that he used to store his tools and he was working on getting the jeep fixed up.

Mr. DeBlois explained the vehicles needed to be roadworthy and registered and recommended an extension of 60 days, until January 23, 2015, for compliance.

12:11:13

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the members voted unanimously (6-0) to find compliance of the overgrown weeds violation but find the junk vehicles violation and grant an extension of 60 days, until January 23, 2015, for compliance or a \$100 per day fine.

It is noted for the record the Respondent was present for this hearing.

12:12:04 **Case #2014090110 – James & Sherry Moore (Tenant)**

Inspector Jefferson confirmed service on Respondent James & Sherry Moore and the tenant on November 8, 2014 and submitted seven photographs into evidence. She described household trash, furniture, yard debris, swimming pool maintenance and a junk vehicle in the driveway, and confirmed some progress had been made to clean up the trash.

Mr. J. Berklew, a realtor representing the owners, explained the property was for sale but the tenant was being uncooperative and could not be evicted until after the foreclosure sale in approximately three weeks. He asked for an extension to resolve the violations.

Mr. DeBlois recommended an extension of 60 days, until January 23, 2015, for compliance.

12:21:25

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Gervasio, the Board voted unanimously (6-0) to find the violations and grant an extension of 60 days, until January 23, 2015, for compliance or a \$100 per day fine.

It is noted for the record the Respondents' representative was present for this hearing.

12:22:22 **Case #2014080132 – Judith Gibson**

Ms. Betty Davis, IRC Code Enforcement Officer, submitted seven photographs into evidence and testified she had cited the Respondent for a fence, illegal signs, trees and shrubs encroaching in a right-of-way or easement, adding there was also a boat and construction debris encroaching on an internal road.

Mr. Bruce Gibson, husband of the Respondent, maintained everything was inside the property line and he had a permit for the fence. He stated the back road was a private road and the boat was on his neighbor's property with their permission

Discussion followed.

Mr. DeBlois recommended an extension of 60 days, until January 23, 2015, for the Respondent to meet with IRC staff to resolve the location of the right-of-way

Building Department had inspected the site and advised what needed to be done; however there was still some clean up and parking lot striping issues that had to be addressed on the site.

Respondent Ramesh Patel testified he leased out the property and stated work had been started towards compliance and asked for more time.

Mr. DeBlois recommended an extension of 60 days, until January 23, 2015, for compliance.

12:57:09

ON MOTION BY Mr. Petrulak, SECONDED BY Bowles, the Board voted unanimously (6-0) to find the violation and grant an extension of 60 days, until January 23, 2015, for compliance or a \$100 per day fine.

It is noted for the record the Respondent was present for this hearing.

LIEN RELEASE REQUESTS

12:58:45 **Case #2013050106 – Marlene Ferrara (Chase Bank)**

Mr. DeBlois recapped this case first came to the Board on July 22, 2013 and noted the bank was cited as a foreclosing bank at the time as well as the owner. He summarized the property was cited for health and safety hazard/public nuisance for a rotted oak tree and junk, trash and debris, and the Board had granted seven days to remove the tree and until August 23, 2013 for overall compliance. Mr. DeBlois continued after one extension the case came back for a compliance hearing on September 23, 2013, at which time upon learning nothing had been resolved the \$100 per day fine had been imposed with a start date of September 22, 2013.

Ms. Carter Solomon, IRC Code Board Officer, indicated there had been a long foreclosure action connected with this property and confirmed the tree had just recently been cut down. Mr. DeBlois stated using November 23, 2014 as a compliance date there would have been a passage of 428 days of non-compliance, which translated to a flat fine in the amount of \$42,800. He advised the Board administrative costs would be \$2,000 or 10% of the accrued fine would be \$4,280.

Ms. Laura Fleishman, a realtor representing Fannie Mae, confirmed the bank had foreclosed on the property on September 4, 2014 and she had taken care of the violations as soon as possible. She indicated there was a buyer for the property as

Mr. Petrulak pointed out four extensions had been granted according to backup material connected with this case. Mr. DeBlois agreed and amended the administrative costs to an amount of \$2,900.

Mr. Jose Morero, representing the foreclosing bank, testified the bank took possession of the property on May 14, 2014 and cleaned up the vandalized site. He explained there was an offer on the property in the low \$40,000's and the bank was willing to split the property and remove two of the mobile homes in order to complete the sale if the fine amount could be resolved.

Discussion followed.

Mr. DeBlois noted 10% fine would be approximately half of the proposed sales price of the property and recommended the conditional setting of the fine be reduced to an amount of \$3,500 to cover administrative costs

13:15:23

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Petrulak, the Board voted (5-1) to conditionally set the fine at \$3,500 providing the violations had been resolved within 90 days, until February 20, 2015, and if there was not compliance the fine would revert to what it would otherwise be if it was still accruing. Mr. Zimmermann opposed.

Mr. Zimmermann explained he felt the fine was set too high because there would be a lot of costs associated with getting the property ready for the market and back on to the tax roll.

It is noted for the record the bank's representative was present for this hearing.

Chairman Clements called a recess at 4:10 p.m. and reconvened the meeting at 4:17 p.m.

EVIDENTIARY HEARINGS

13:16:35 **Case #2014050034 – Summerwind Beach House LLC**

Mr. DeBlois related this case had to do with a replacement deck and stairs built without required permits. Inspector Davis submitted an Affidavit of Service

indicating the property had been posted on November 14, 2014 and two photographs into evidence and confirmed plans had been submitted for a building permit on November 12, 2014. She recommended an extension of 60 days, until January 23, 2015, for compliance.

13:18:47

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Meyers II, the Board voted unanimously (6-0) to find the violation and grant an extension of 60 days, until January 23, 2015, for compliance or a \$100 per day fine.

It is noted for the record the Respondent was not present for this hearing.

13:19:09 **Case #2014070149 – Esmeralda Ramirez**

Mr. DeBlois advised this case had to do with junk, trash and debris, non-commercial kennel or animal boarding violation for roosters on the property and no building permit for a shed built without permits. Inspector Davis confirmed service on November 5, 2014 and submitted one photograph into evidence. She confirmed all the violations had been resolved except for the illegal utility building and the Respondent was working towards obtaining after-the-fact permits, and recommended an extension of 30 days, until December 19, 2014, for compliance.

13:20:27

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Gervasio, the Board voted unanimously (6-0) to find the violation for no building permit for the shed and grant an extension of 30 days, until December 19, 2014, for compliance or a \$100 per day fine.

It is noted for the record the Respondent was not present for this hearing.

13:20:45 **Case #2014070169 – Robert & Mary Lou Thompson**

Inspector Jefferson submitted an Affidavit of Service indicating the property had been posted on November 14, 2014 and two photographs into evidence. She related the boat/trailer storage and junk, trash and debris violations were resolved and the Respondents had applied for an after-the-fact permit for an illegal shed, and recommended an extension of 60 days, until January 23, 2015, for compliance.

13:22:03

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Bowles, the Board voted unanimously (6-0) to find the violation for no building permit and grant an extension of 60 days, until January 23, 2015, for compliance or a \$100 per day fine.

It is noted for the record the Respondents were not present for this hearing.

13:22:18 **Case #2014090125 – Joan Rovirosa & Crescenzo Lombardi (U.S. Bank NA)**

Inspector Jefferson submitted an Affidavit of Service indicating the property had been posted on November 14, 2014 and three photographs showing overgrown weeds at a vacant house into evidence. She confirmed service on the bank on November 14, 2014 and recommended an extension of 30 days, until December 19, 2014, for compliance.

13:23:03

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to find the violation for overgrown weeds and grant an extension of 30 days, until December 19, 2014, for compliance or a \$100 per day fine.

It is noted for the record the Respondents were not present for this hearing.

13:23:14 **Case #2014090124 – Peter Russell**

Inspector Carter Solomon submitted an Affidavit of Service indicating the property had been posted on November 14, 2014 and two photographs into evidence. She described overgrown weeds at a vacant home and recommended an extension of 30 days, until December 19, 2014, for compliance.

13:24:02

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Gervasio, the Board voted unanimously (6-0) to find the violation and grant an extension of 30 days, until December 19, 2014, for compliance or a \$100 per day fine.

It is noted for the record the Respondent was not present for this hearing.

13:24:11 **Case #2014080008 – Red Warrior Holding Corp.**

Inspector Davis submitted three photographs into evidence and described dead and missing landscape, site plan non-conformance violation and zoning district use violation. She confirmed service to the Respondent on November 13, 2014 and recommended an extension of 30 days, until December 19, 2014, for compliance.

13:25:57

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Meyers II, the Board voted unanimously (6-0) to find the violations and grant an extension of 30 days, until December 19, 2014, for compliance or a \$100 per day fine.

It is noted for the record the Respondent was not present for this hearing.

13:26:07 **Case #2014070146 – Gerald & Rhonda Renick**

Inspector Davis submitted an Affidavit of Service indicating the property had been posted on November 14, 2014 and two photographs into evidence. She said she had received a complaint about someone living in a recreational vehicle (RV) in a barn on the property and the Respondents had been cited for use established without site plan approval. Inspector Davis reported the Respondents proposed to convert part of the barn to a living area and recommended an extension of 60 days, until January 23, 2015, for this process to take place.

13:27:19

ON MOTION BY Mr. Meyers II, SECONDED BY Mr. Bowles, the Board voted unanimously (6-0) to find the violation and grant an extension of 60 days, until January 23, 2015, for compliance or a \$100 per day fine.

It is noted for the record the Respondents were not present for this hearing.

13:27:34 **Case #2014090143 – Tina Strong**

Inspector Davis submitted two photographs into evidence and confirmed

13:30:46

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Meyers II, the Board voted unanimously (6-0) to find the violation and grant an extension of 60 days, until January 23, 2015, for compliance or a \$100 per day fine.

It is noted for the record the Respondent was not present for this hearing.

13:30:54 **Case #2014060066 – John & Karen Keuhne**

Inspector Carter Solomon submitted an Affidavit of Service indicating the property had been posted on November 5, 2014 and two photographs into evidence, and indicated the property had been cited for overgrown weeds and a property maintenance violation for an unmaintained pond. She advised the property had been vacant for some time and Respondent Karen Keuhne was deceased and John Keuhne was currently incarcerated, and recommended an extension of 30 days, until December 19, 2014, for compliance.

13:32:03

ON MOTION BY Mr. Meyers II, SECONDED BY Mr. Bowles, the Board voted unanimously (6-0) to find the violations and grant an extension of 30 days, until December 19, 2014, for compliance or a \$100 per day fine.

It is noted for the record the Respondents were not present for this hearing.

13:32:09 **Case #2014090094 – Karen Frank (Federal National Mortgage Assoc.)**

Inspector Carter Solomon submitted an Affidavit of Service indicating the property had been posted on November 5, 2014 and one photograph into evidence, and described overgrown weeds and junk, trash and debris on the site. She said she had not had any contact with either the Respondent or the bank and recommended an extension of 30 days, until December 19, 2014, for compliance.

13:33:20

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (6-0) to find the violation and grant an extension of 30 days, until December 19, 2014, for compliance or a \$100 per day fine.

It is noted for the record the Respondents were not present for this hearing.

13:33:25 **Case #2014070141 Wesley Power (Jorge Otero & Irving Secor, Jr.)**

Inspector Davis confirmed service on November 3, 2014 and submitted four photographs into evidence and described a utility shed built without a permit. She recommended an extension of 30 days, until December 19, 2014, for compliance.

13:33:59

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Meyers II, the Board voted unanimously (6-0) to find the violation and grant an extension of 30 days, until December 19, 2014, for compliance or a \$100 per day fine.

It is noted for the record the Respondents were not present for this hearing.

13:34:06 **Case #2014090140 – James Wilson et al**

Ms. Kelly Buck, IRC Code Enforcement Officer, submitted an Affidavit of Service indicating the property had been posted on November 13, 2014 and two photographs taken September 23, 2014 into evidence, and described overgrown weeds and a junk boat on the subject property. She stated she had visited the site this morning and nothing had been done and recommended an extension of 60 days, until January 23, 2015, for compliance.

13:35:10

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Petrulak, the Board voted unanimously (6-0) to find the violations and grant an extension of 60 days, until January 23, 2015, for compliance or a \$100 per day fine.

November 10, 2014. She noted the owner was deceased and the bank would be the only entity the Board would be dealing with from now on, and indicated the cited violations were for unsecured vacant structure, swimming pool maintenance and pool enclosure. Inspector Carter Solomon recommended an extension of seven days, until December 1, 2014, for the pool enclosure violation to be resolved and 30 days, until December 19, 2014, for the remaining violations to come into compliance.

13:42:58

ON MOTION BY Mr. Meyers II, SECONDED BY Mr. Petrulak, the Board voted unanimously (6-0) to find the violations and grant an extension of seven days, until December 1, 2014, for the pool enclosure violation to be resolved and 30 days, until December 19, 2014, for compliance of the remaining violations or a \$100 per day fine.

It is noted for the record the Respondents were not present for this hearing.

13:43:08 **Case #2014100018 – Monty & Lora Peters**

Inspector Carter Solomon confirmed service on November 13, 2014 and submitted two photographs into evidence. She described overgrown weeds on a vacant corner lot and recommended an extension of 30 days, until December 19, 2014, for compliance.

13:43:58

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (6-0) to find the violation and grant an extension of 30 days, until December 19, 2014, for compliance or a \$100 per day fine.

It is noted for the record the Respondents were not present for this hearing.

13:44:08 **Case #2014100178 – J.P. Morgan Chase Bank NA**

Inspector Davis confirmed service on November 14, 2014 and submitted five photographs into evidence. She noted there was a fine running against the property for a previous CEB case and she was receiving complaints regarding the dilapidated condition of a fence around the property, lack of swimming pool enclosure and pool maintenance, overgrown weeds and junk, trash and debris. Inspector Davis

imposed with a start date of November 22, 2014.

13:50:03

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Gervasio, the Board voted unanimously (6-0) to find non-compliance and impose a \$100 per day fine with a start date of November 22, 2014.

It is noted for the record the Respondent was not present for this hearing.

13:50:15 **Case #2014050014 – Vista Golf LLC (Grille on the Green)**

Inspector Carter Solomon recalled this case had initially gone to the Board on August 25, 2014 for no building permit and use established without site plan approval. She advised she had not heard from the Respondent since that time and no administrative approval had been applied for, and recommended the \$100 per day fine be imposed with a start date of November 22, 2014.

13:51:11

ON MOTION BY Mr. Meyers II, SECONDED BY Mr. Gervasio, the Board voted unanimously (6-0) to find non-compliance and impose a \$100 per day fine with a start date of November 22, 2014.

It is noted for the record the Respondent was not present for this hearing.

13:51:22 **Case #2014080111 – Lilly Mae Wadley**

Mr. DeBlois summarized this case came to the Board on October 27, 2014 for overgrown weeds. Inspector Buck submitted one photograph taken November 19, 2014 into evidence and pointed out nothing had been done and she had no contact with the Respondent. Mr. DeBlois recommended the \$100 per day fine be imposed with a start date of November 22, 2014.

13:52:21

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Gervasio, the Board voted unanimously (6-0) to find non-compliance and impose a \$100 per day fine with a start date of November 22, 2014.

It is noted for the record the Respondent was not present for this hearing.

13:52:38 **Case #2014070124 - Juan & Marie Delossantos**

Inspector Carter Solomon related this case initially came to the Board on August 25, 2014 for overgrown weeds and property maintenance violations, at which time the Board granted 60 days, until October 23, 2014 for compliance, with one extension subsequently granted. She submitted two photographs into evidence showing compliance had not been attained and recommended the \$100 per day fine be imposed with a start date of November 22, 2014.

13:53:23

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (6-0) to find non-compliance and impose a \$100 per day fine with a start date of November 22, 2014.

It is noted for the record the Respondents were not present for this hearing.

13:53:38 **Case #2014030069 – Titone Properties LLC (Tenant)**

Inspector Carter Solomon reported this case first came to the Board on August 25, 2014 for overgrown weeds and junk, trash and debris violations, with subsequent extensions being granted until November 21, 2014. She noted Respondent Titone was present at last month's meeting and stated he thought the tenant had resolved the issues; however she submitted two photographs taken on November 24, 2014 into evidence showing nothing had been done. Inspector Carter Solomon recommended the \$100 per day fine be imposed with a start date of November 22, 2014.

13:54:34

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (6-0) to find non-compliance and impose a \$100 per day fine with a start date of November 22, 2014.

It is noted for the record the Respondents were not present for this hearing.

13:54:41 **Case #2014080116 – Federal National Mortgage Association**

Inspector Jefferson recapped this case initially came to the Board on October 27, 2014 for overgrown weeds, at which time a 30 day extension was granted until

November 21, 2014. She confirmed nothing had been done and recommended a \$100 per day fine be imposed with a start date of November 22, 2014.

13:55:32

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to find non-compliance and impose a \$100 per day fine with a start date of November 22, 2014.

It is noted for the record the Respondent was not present for this hearing.

Mr. DeBlois recommended the remaining Lien Release Request cases on today's agenda where no representatives were present should be postponed.

13:56:03 **Authorization for Notices to Appear**

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Meyers II the Board voted unanimously (6-0) to authorize the Notices to Appear for cases leading up to the December 22, 2014 and January 23, 2015 meetings.

Other Matters

Chairman Clements reminded the members that new officers would be elected in January, 2015.

Adjournment

There being no further business, the meeting was adjourned at 5:00 p.m.