



~ Draft Minutes ~

## City of Fort Walton Beach Regular Meeting of the Code Enforcement Board

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Wednesday, August 9, 2017

4:00 PM

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

4:00 PM Meeting was called to order on August 9, 2017 at Council Chamber, 107 Miracle Strip Parkway SW, Fort Walton Beach, FL.

Attendee Name	Title	Status	Arrived
Glenda Glover		Present	
Valerie Moreland		Absent	
Willie Harmon		Present	
Bill Robinson		Present	
Michael Keith Bridwell		Absent	
J.T. Edwards		Present	
Janet Wilson		Present	
Rhonda Stewart		Absent	
Robert Rennie		Present	

Chairperson Valerie Moreland was an excused absence; Vice-Chair Willie Harmon conducted the meeting. Board Member Michael Bridwell and alternate Rhonda Stewart were excused absences.

### SWEARING IN OF PERSONS TO TESTIFY

Jennifer Gutai of the City Attorney's Office gave the Oath to those who planned to testify.

### APPROVAL OF AGENDA

Burt Rhodes, Code Inspector, advised that Items 7.2, 7.3 and 7.6 have complied.

The vote on the motion to approve the agenda as amended carried unanimously.

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Glenda Glover
<b>SECONDER:</b>	Bill Robinson
<b>AYES:</b>	Glover, Harmon, Robinson, Edwards, Wilson, Rennie

**APPROVAL OF MINUTES OF PREVIOUS MEETING**

The vote to approve the minutes of July 12, 2017 carried unanimously.

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Janet Wilson
<b>SECONDER:</b>	J.T. Edwards
<b>AYES:</b>	Glover, Harmon, Robinson, Edwards, Wilson, Rennie

**PUBLIC HEARINGS—Case 16-590--50 Hemlock Drive NW**

Burt Rhodes, Code Inspector, advised that on February 24, 2016 the property located at 50 Hemlock Drive NW, owned by Kenneth R. and Elizabeth Buchanan, was found in violation of Roof Maintenance: Sec. 5.07.01 K. Failure to Repair and Maintain Deteriorated Roofing.

The case was brought before the Board on May 10, 2017 and an order was issued giving the respondents until July 9, 2017 to bring the property into compliance. As of today, August 9, 2017 the property remains in violation.

As there were no objections from the respondents, Exhibits H, I and J were entered into the record. The Board viewed exhibits including photographs of the violations.

Staff is requesting acceptance of the Findings of Fact, Conclusions of Law and issuance of Order II, including the \$325.00 administrative fee. Staff also recommends a fine amount of \$100.00 per day starting on July 9, 2017, the date previously set by the Board.

Kenneth R. Buchanan, respondent, advised his plan is to upgrade the older roof on his home to a new, updated roof that will with stand up to 170 mph winds. Mr. Buchanan advised that injuries the past year have delayed his process in the project.

The Board discussed the need to make a decision on what is best for the City but also to keep in mind the financial restraints of the respondent. The Vice-Chairman mentioned beginning the fine amount on August 9, 2017, if that was something the Board wanted to consider.

The vote on the motion to accept the Findings of Fact, Conclusions of Law made by Staff and order the respondent(s) to correct the violations immediately, pay the assessed administrative fee in the amount of \$325.00 and a fine of \$100.00 per day for each day the violations continue beyond August 9, 2017 carried by a vote of 5 to 1.

<b>RESULT:</b>	<b>ADOPTED [5 TO 1]</b>
<b>MOVER:</b>	Janet Wilson
<b>SECONDER:</b>	J.T. Edwards
<b>AYES:</b>	Harmon, Robinson, Edwards, Wilson, Rennie
<b>NAYS:</b>	Glenda Glover

**Case 17-681—48 West Audrey Drive NW**

Mr. Rhodes advised that on March 23, 2017, the property located at 48 West Audrey Drive NW owned by Lillian C. Barnes was found in violation of Unlicensed, Non-Operative Items: Sec. 5.04.01 & 5.04.02(9)(10), Prohibited Accumulation & Outside Storage of Two Unlicensed Non-Operative Vehicles.

The case was brought before the Board on June 14, 2017 and an order was issued giving the respondents until July 12, 2017 to bring the property into compliance. As of today, August 9, 2017 the property remains in violation.

As there were no respondents present, Exhibits H, I, and J were entered into the record. The Board viewed exhibits including photographs of the violation(s).

Staff is requesting acceptance of the Findings of Fact, Conclusions of Law and issuance of Order II, including the \$325.00 administrative fee. Staff also recommends a fine amount of \$100.00 per day starting on July 12, 2017, the date previously set by the Board.

Board discussion included the financial restraints and the possibility of beginning the fine amount on today's date; the fact that the respondent was not present but knew about the hearing; and that the vehicles have been sitting on the property for some time.

The vote on the motion to accept the Findings of Fact, Conclusions of Law made by Staff and order the respondent(s) to correct the violations immediately, pay the assessed administrative fee in the amount of \$325.00 and a fine of \$100.00 per day for each day the violations continue beyond August 9, 2017 carried by unanimously.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	J.T. Edwards
<b>SECONDER:</b>	Janet Wilson
<b>AYES:</b>	Glover, Harmon, Robinson, Edwards, Wilson, Rennie

#### **Case 17-902—308 Gardner Drive NE**

Ed Moore, Code Inspector, advised that on May 16, 2017, the property located at 308 Gardner Drive NE owned by Chad A. and Maribel Hancher was found in violation of Code Section 5.04.01(1 to 7) and 5.04.02 (2,4,5,6, 7 & 9): Litter and Code Section 5.04.01 and 5.04.02(9)(10): Unlicensed/Non/Operative Items.

Mr. Rhodes presented the case history and advised that as of today, August 9, 2017, the property remains in violation.

As there were no respondents present, Exhibits A through G were entered into the record and the Board viewed exhibits, including photographs, of the violations(s).

Staff is requesting issuance of Order I including the \$325.00 administrative fee. Staff also recommends 15 days for compliance of the violation, which would make the compliance deadline on August 24, 2017.

The vote on the motion to accept the Findings of Fact, conclusions of Law made by Staff and order the respondent(s) to correct the violations on or before August 24, 2017 and to pay the assessed administrative fee of \$325.00 carried unanimously.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bill Robinson
<b>SECONDER:</b>	Janet Wilson
<b>AYES:</b>	Glover, Harmon, Robinson, Edwards, Wilson, Rennie

**CASES IN COMPLIANCE BEFORE HEARING**

Case 17-230, Unlicensed Non-Operative Items; Case 17-616, Permit Required; Case 17-1008, Water Service.

**UNFINISHED BUSINESS**

Mr. Rhodes advised he will be out of town in September and recommended cancelling the September meeting and to reconvene in October, unless an emergency case arises which can be handled by Mr. Moore.

**ADDITIONAL BUSINESS**

None.

**ADJOURNMENT: 5:43 pm**