**CODE ENFORCEMENT BOARD**

**MEETING MINUTES**

**Wednesday, September 21, 2022**

# MINUTES ARE NOT VERBATIM

A meeting of the Okaloosa County Code Enforcement Board was held Wednesday, September 21, 2022 at 4:00 p.m. at the Okaloosa County Administration Building, 1250 Eglin Parkway, first floor Commissioner’s Chambers, Shalimar, Florida. Chairman Mike Banks, Caralee Gibson, Mark Siner, and Dana Cawthon attended the meeting. Dennis Chavez was unable to attend.

Growth Management staff in attendance: Lisa Payton, Code Enforcement Supervisor; Lynne Oler, Code Enforcement Administrative Assistant; Carlos Jones, Code Enforcement Officer; Steve Kenney, Code Enforcement Officer; and Sean Donaldson, Code Enforcement Officer. Okaloosa County Attorney, Lynn Hoshihara, was also in attendance.

**1.** **PLEDGE OF ALLEGIANCE**

**2. ROLL CALL**

Ms. Lynne Oler conducted roll call.

**3. SWEARING IN OF ALL SPEAKERS**

Ms. Lynne Oler swore in Lisa Payton, Code Enforcement Supervisor; Carlos Jones, Sean Donaldson, Steve Kenney - Code Enforcement Officers, and Mr. Gary Moore.

**4. APPROVAL OF MINUTES – August 17, 2022 Meeting**

*Motion to approve the minutes made by Caralee Gibson, second by Mark Siner, approved unanimously.*

**5. ANNOUNCEMENTS:**

There were none.

**6. PUBLIC COMMENTS:**

There were none.

**7. OLD BUSINESS** - None

**8. NEW BUSINESS:**

 **A. CEB CASE #22-517117 Trustee Joe A. Allinder Jr.**

**Location of Violation: 608 Vermont Avenue, Fort Walton Beach**

Okaloosa County Code of Ordinances, as amended, Chapter 11, Health & Sanitation, Article III, Nuisances, Division 3, Section 11-136, Public Nuisances; and Appendix E, Chapter 6 Development Design Standards, Sec 6.00.04 – Regulations (7) Travel Trailers, Campers, and Motorhomes.

Ms. Payton asked that CEB Case #22-517117 be removed from the agenda for an administrative error. Chairman Banks asked if we have a correct address and Ms. Payton replied, we do.

**B. CEB CASE #22-517118 Kathleen A. & David A. Bogue**

 **Location of Violation: 1058 Quail Hollow Dr., Mary Esther**

Okaloosa County Code of Ordinances, as amended, Chapter 11, Health & Sanitation, Article III, Nuisances, Division 3, Litter, Section 11-131, Definitions, Section 11-134, Litter Storage, and Section 11-136, Public Nuisances Described.

Carlos Jones, Okaloosa County Code Enforcement Officer, read the above violation. Mr. Jones said July 25, 2022, he went out to 1058 Quail Hollow Dr., Mary Esther and found debris scattered throughout the yard. On August 26, 2022 a Notice of Violation was sent by certified mail to the Bogue’s requesting the property be brought into compliance by September 13, 2022. The Notice stated that if the property was not brought into compliance the case would be brought before the Code Board on today’s date. Chairman Banks asked if Mr. Jones had received a response, Mr. Jones said he had not heard from them. Caralee Gibson asked what Staff’s recommendation would be for this case. Mr. Jones stated he is trying to reach out to the owners and that he had gone as far as going to social media in attempt to contact them.

Ms. Payton said that at this time, Code Enforcement recommends a fine of $250 per day as well as administrative fees, with a time set by the Board to bring the property into compliance.

*Caralee Gibson made a motion to begin the fines of $250 per day, along with administrative fees, on October 18, 2022 if the property is not brought into compliance by October 17, 2022, second by Dana Cawthon.* Mr. Siner said it appears the property is abandoned. Ms. Payton said it appears that way, but the property was being rented out, the owners are in Georgia, and the tenants left the place in this condition. *Motion passed unanimously.*

**C. CEB CASE #22-517134 Scott J. Shuster**

**Location of Violation: 309 Rue Dianne, Mary Esther**

Okaloosa County Code of Ordinances, as amended, Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance Vehicles, Section 21-65 Nuisance Vehicles.

Sean Donaldson, Okaloosa County Code Enforcement Officer, said he was asking for case 22-517134 to be dismissed and that they came into compliance yesterday. Ms. Payton said that the Board can’t dismiss it and that they need to take an action on it since it was advertised on the agenda. She said we won’t have to issue fines and it won’t be filed as a lien, but we need to have it on the record so that if they have another violation, we can show it is a repeat violation of the Code Board.

*Caralee Gibson made a motion that no fines are assessed on Case 22-517134 because they came into compliance, even though it is after the date given, but that the Findings of Facts will be filed for the record. Second by Mark Siner*. Mr. Siner asked about the timing of the compliance. Ms. Payton stated that they were in violation because they did not come into compliance by the date given to them, but that they would receive a Notice of Compliance, and this would be filed for future use, if the property comes into violation again. *Motion passed unanimously.*

**D. CEB CASE #22-517119 Patsy S. & William Hart**

**Location of Violation: 304 Pine Moss Drive, FWB**

Okaloosa County Code of Ordinances, as amended, Chapter 11, Health & Sanitation, Article III, Nuisances, Division 3, Litter, Section 11-131, Definitions, Section 11-134, Litter Storage, and Section 11-136, Public Nuisances; and Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance Vehicles, Section 21-65 Nuisance Vehicles.

Steve Kenney, Okaloosa County Code Enforcement Officer, went out to this property after receiving a complaint. He found piles of junk, trash, containers holding water, litter storage, and two trailers without proper registration. The property is vacant so he sent out a Notice of Violation on July 6, 2022, which was returned to our office. Mr. Kenney said he left a card in the door and received a phone call from Stacy Hart, the grandson of Mr. & Mrs. Hart. Stacy Hart said he would get a dumpster on site and clean up the place. The dumpster was never brought on site, but he did do a little work around the property. On July 21, 2022, the neighbor at 306 Pine Moss Drive, gave Mr. Kenney access to her backyard, where the fence is damaged, and there is a large quantity of trash and junk in the backyard at 304 Pine Moss Drive. Mr. Kenney said he spoke with Mr. Stacy Hart by phone and has left him several messages, but minimal progress has been made. He said that the photos he gave to the Board are from today and there has been a good deal of work done to the front yard, so looking at the property from the road, it looks pretty good. They haven’t registered the two trailers. The artificial turf that was in the driveway was just moved to the backyard. Mr. Kenney said that he received a call from Mr. Hart today, but when he returned the call, he got his voicemail and as of yet, he hasn’t heard from him and he didn’t show up to today’s Board meeting.

Mr. Kenney said Staff’s recommendation would be to assess a $250 a day fine along with administrative costs, with a time to be established by the Board. Chairman Banks asked who owned the fence that was damaged in the backyard. Mr. Kenney said that the neighbor claims they both paid to have it put up, but that the neighbor nor the Harts, want to pay to have it repaired. Mr. Banks asked if anyone lives in the house. Mr. Kenney said the house is vacant, but that the grandson had lived there in the past.

*Caralee Gibson made a motion to assess a fine of $250 per day, along with administrative fees, as of October 18,2022 if the property is not brought into compliance, second by Mark Siner. Motion passed unanimously.*

**E. CEB CASE #22-517136 Gary W. Moore**

**Location of Violation: 502 Union Street, FWB**

Okaloosa County Code of Ordinances, as amended, Chapter 11, Health & Sanitation, Article III, Nuisances, Division 3, Litter, Section 11-131, Definitions, Section 11-134, Litter Storage, and Section 11-136, Public Nuisances; and Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance Vehicles, Section 21-65 Nuisance Vehicles.

Code Enforcement Officer Sean Donaldson passed out some pictures for the property at 502 Union Street, Fort Walton Beach. He said he received a complaint about trash, debris, and possible inoperable vehicles. He said the complaint was from the Department of Children & Family Services (DCF). Mr. Donaldson went to the property on June 17, 2022 and noticed the vehicles behind a screened-in area that had fallen, they did not appear to be operable. He also found trash and debris in the right of way, and the property had the appearance of “junk like conditions”. Mr. Donaldson said the first Notice of Violation was sent on July 28, 2022. The notice was signed for and Mr. Donaldson went out for his follow up inspection on August 24, 2022 but the property had not been brought into compliance. Mr. Donaldson sent another Notice of Violation and a Notice of Hearing, for today’s meeting, if the property was not brought into compliance by September 13, 2022. We received the green card with the signature of Gary Moore which shows he received the notice.

Gary Moore, 502B Union Street, Fort Walton Beach, addressed the Board. He said he had a piece of paper in his mail box that was cut in half that said he had a letter to pick up at the Post Office. Mr. Moore said that the letter gave him until September 13th, which gave him only 4 days. He said he knows it is a mess, but that he and his wife have had issues, but he just needs a little time and he will get it cleaned up. Ms. Gibson asked if he had anyone to assist him with the cleanup. Mr. Moore said he has a son in law that will help when he isn’t working. Mr. Moore said he also had some kids in the neighborhood that will help him load some of the stuff. Ms. Gibson asked for Staff’s recommendation. Mr. Donaldson replied a $250 a day fine, along with administrative fees. Mr. Siner asked how much time Mr. Moore would need to bring the property into compliance. Ms. Gibson asked if 60 days would be enough time for Mr. Moore. Mr. Moore said he should have it cleaned by then.

*Caralee Gibson made a motion to issue a $250 per day fine, along with administrative fees, if the property is not brought into compliance by November 15, 2022.* Mr. Moore asked if he could keep one vehicle that he is trying to get fixed for his daughter. The Board explained that he would need to have an approved outdoor car cover for the vehicle, not a tarp, or it would have to be behind a privacy fence. *Second by Mark Siner and motion passed unanimously.*

**9. OTHER BUSINESS:**

There was none.

**10. ADJOURN**

*There being no further business before the Board, Chairman Banks declared the meeting adjourned at 4:30 pm.*

Prepared by:

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Lynne Oler

Code Enforcement Administrative Assistant