

MINUTES OF THE AUGUST 10, 2016
CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

The following are the minutes of the Special Magistrate Hearing held on August 10, 2016 as taken by Jamie Davis

Present at the hearing:

SPECIAL MAGISTRATE

Charles D. Johnson

CODE ENFORCEMENT STAFF:

Ron Collodi, Code Enforcement Manager
Dennis Bunt, Code Enforcement Supervisor
Lisa Douglas, Code Enforcement Officer
Stan Wilson, Code Enforcement Officer
Mark Shepherd, Code Enforcement Officer
Ron Collodi, Code Enforcement Manager
Jamie Davis, Public Hearing Coordinator

STAFF ATTORNEY:

Diana Johnson, Assistant County Attorney

Charles D. Johnson called the meeting of the Special Magistrate to order at 1:00 p.m.

Staff was sworn in by Charles Johnson.

Diana Johnson accounted the changes to the agenda.

Code Enforcement:

ITEM 1

Katherine Peebles, SM-2015-07-0096

Respondent was present and sworn.

Diana Johnson stated this case is charging the owner with violation of Section 9.04.03 "Right-of-Way Provisions" and Section 3.06.01 "Purpose and Intent". Staff recommended the Special Magistrate find the Respondent in violation of these sections and grant 30 days to comply or a fine of \$100.00 per day to begin on the 31st day.

File was entered into evidence.

Officer Mark Shepherd testified to the facts of the case.

Katherine Peebles testified to the facts of the case and requested additional time to come into compliance.

Special Magistrate Charles D. Johnson granted the Respondent 60 days to come into compliance or a fine of \$100.00 per day. If the Respondent is making substantial efforts to come into compliance within the 60 days, she may request additional time prior to the 60 days expiring.

ITEM 3

Beverly Jill Wolliver a/k/a Beverly Jill Odom and any unknown heirs of Beverly Jill Wolliver a/k/a Beverly Jill Odom, SM-2016-02-0254

Respondent was not present.

Diana Johnson stated that an estate was opened on July 26, 2016 so case may need to be recited.

Special Magistrate Charles D. Johnson abated case to allow personal representative and estate to be noticed of hearing.

ITEM 9

Homestream Network GCGF2, LLC, 2016-05-0072

Respondent was not present.

Diana Johnson stated this case is charging the owner with violation of Section 14-56 "Declaration of Nuisance and Prohibited Conditions", Section 23-98 "Junk" and Section 23-99 "Accumulation of Solid Waste Prohibited". Staff recommended the Special Magistrate find the Respondent in violation of these sections and grant 14 days to comply or a fine of \$100.00 per day to begin on the 15th day if not in compliance.

File was entered into evidence.

Officer Mark Shepherd testified to the facts of the case.

Special Magistrate Charles D. Johnson accepted staff's recommendation.

ITEM 12

Kenneth R. Miller, SM-2016-04-0226

Respondent was not present.

File was entered into the evidence.

Diana Johnson stated this case is charging the owner with violation of Section 6-22 "Adoption and Enforcement", Section 14-56 "Declaration of Nuisance and Prohibited Conditions" and Section 23-98 "Junk". Staff recommended the Special Magistrate find the Respondent in violation of these sections and grant 14 days to comply or a fine of \$100.00 per day to begin on the 15th day if not in compliance.

File was entered into evidence

Officer Dennis Bunt testified to the facts of the case.

Special Magistrate Charles D. Johnson accepted staff's recommendation.

ITEM 13

Sharon Downey, SM-2016-03-0233

Respondent was not present.

Lisa Rampulla, Respondents daughter, was present and sworn.

Diana Johnson stated that this case was charging the owner with violation of Section 14-56 "Declaration of Nuisance and Prohibited Conditions", Section 23-98 "Junk", Section 23-99 "Accumulation of Solid Waste Prohibited", and Section 3.06.03 "Permitted Parking". Staff recommended the Special Magistrate find the Respondent in violation of these sections and grant 14 days to comply or a fine of \$100.00 per day to begin on the 15th day if not in compliance.

File was entered into evidence.

Officer Mark Shepherd testified to the facts of the case.

Lisa Rampulla testified to the facts of the case and requested additional time to come into compliance.

Special Magistrate Charles D. Johnson granted the Respondent 30 days to come into compliance or a fine of \$50.00 per day to begin on the 31st day.

ITEM 16

Paul and Loretta Lacek, SM-2015-08-0325

Respondents were present and sworn and presented their case to the Special Magistrate. Respondents requested additional time to come into compliance with the Order of Enforcement. Loretta Lacek testified that she applied for a variance but will not be able to get one. Loretta Lacek stated she intends to appeal and is currently seeking appellate counsel.

Respondents called their witness, Charles Forth, to testify. Mr. Forth was sworn and offered testimony.

Special Magistrate Charles D. Johnson granted the Respondents an additional 30 days to come into compliance and stated that the time to appeal the original order is not extended.

ITEM 17

Diane Ridgeway, SM-2012-05-0201

Respondent was present and sworn.

Diana Johnson stated in this case the Respondent is now in compliance and is requesting a reduction of fine.

File was entered into evidence.

Diane Ridgeway testified to the facts of the case.

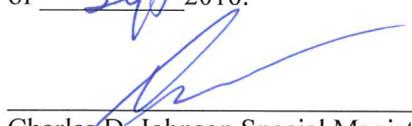
Officer Dennis Bunt testified to the facts of the case.

Special Magistrate Charles D. Johnson reduced the fine from \$66,100.00 to \$1,000.00. The fine is to be paid within 180 days.



Jamie Davis
Recording Secretary

Receipt of the minutes as prepared of the August 10, 2016 hearing is acknowledged this 17 day
of Sept 2016.



Charles D. Johnson Special Magistrate