

City of Wauchula
Code Enforcement Board Minutes
07/26/2010

The Wauchula Code Enforcement Board met Monday, July 26, 2010 at 5:30 P.M.

After the Pledge of Allegiance, Secretary Gibbs called roll with the following members present: Patricia Clark, Gerald Waldron, and Chairman John Woodburn. Sue Conner was absent. Woodburn declared a quorum. Also present were Attorney Cliff Ables, Code Enforcement Officers Kathleen Whaley and Raina H Bergens, and members of the audience.

Attorney Ables swore in Code Enforcement Officers Whaley and Bergens and anyone testifying about the cases.

Clark made the motion, seconded by Waldron to approve the minutes for the June 28, 2010 meeting, with an amendment. *The correction was made because of two separate motions being typed into the minutes with the first one being made at a prior meeting. This had to be deleted.* Gibbs polled the Board. All were in favor. Motion carried.

Request for fine removal - 09-107-NA – Pedro G & Teresa M Granda - 218 N 2nd Ave – Mr. Granda was present. CEO Whaley testified that there are \$9,000.00 in fines accrued. She testified that there was an agreement between Mr. Granda and the City that if he would remove a trailer from his property after his new house was built, that the Code Enforcement Board would forgive the fine. “In **Case #09-107-NA**, I move that the City of Wauchula Code Enforcement Board forgive the entire fine of \$9,000.00.” Waldron made the motion, seconded by Clark. Gibbs polled the Board. All were in favor. Motion carried.

09-107-M – Pedro G & Teresa M Granda - 218 N 2nd Ave – Mr. Granda was present. CEO Whaley testified that this case had been tabled until the old house was demolished and a new one built. That is now done and the case needs to be removed from the table and closed. Clark made the motion, seconded by Waldron to remove the case from being tabled, so that it can be closed. Gibbs polled the Board. All were in favor. Motion carried.

Request for fine removal - 09-156-NA & 09-156-Z - Donnie Selph - 302 Diana Ave – CEO Whaley explained that Mr. Selph could not attend tonight’s meeting, but he had given his daughter a letter to speak on his behalf. Clark asked how much the fine is and Whaley replied, \$13,500.00. Ables stated that unless Mr. Selph had given his daughter, Crystal Bell, a durable power of attorney, that she could not speak on his behalf. Mrs. Bell asked if there had never been a time when other people had spoken for someone else and she testified that her father was out of state and wanted to get this over with. Mrs. Bell was told that the fines would not accrue interest. After further discussion, Clark made the motion, seconded by Waldron to table cases **#09-156-NA** and **#09-156-Z** until the November meeting. Gibbs polled the Board. All were in favor. Motion carried.

Cases

09-003-M - Marilyn Peterson - 320 Pennsylvania Ave – The defendant was present. CEO Whaley testified that this is a continuance case. She testified that Mrs. Peterson has been working constantly. Mrs. Peterson testified that she needs more time, maybe six months. Waldron made a motion, seconded by Clark to give Peterson an extension until January 24, 2011. Gibbs polled the Board. All were in favor. Motion carried.

10-022-L – Ahmad Rafik Abdelhalim – 229 Indiana Ave – The defendant was not present. CEO Whaley testified that this is a new case and we have not had any contact from the defendant. She testified that the green return receipt card had been signed and returned. They have done some work at the property, but very little. Waldron made the motion, seconded by Clark to give him an extension until August 23, 2010. Gibbs polled the Board. All were in favor. Motion carried.

10-032-NA – Etta & Steve Malone – 510 E Palmetto St – Mr. Malone was present. CEO Whaley testified that they had opened this case in June and that Mr. Malone had contacted the office to let them know that his wife had had a heart attack. He did do some of the work and he is here tonight to request more time. Mr. Malone explained about his wife's illness and him getting behind. He testified that he had also purchased a van, the seller did not produce a title and had skipped town. It was explained to him about some of the ways that he might find out about the title. Waldron made the motion, seconded by Clark to give Mr. Malone an extension until September 27, 2010. Gibbs polled the Board. All were in favor. Motion carried.

10-032-L – Etta & Steve Malone – 510 E Palmetto St – Mr. Malone was present. This is the same situation as case **#10-032-NA**. Waldron made the motion, seconded by Clark to give Mr. Malone an extension until September 27, 2010. Gibbs polled the Board. All were in favor. Motion carried.

10-034-NA – Pamela J Ellis – 517 N 6th Ave - Darrell Ellis was present. There was discussion about Mr. Ellis being able to represent this case since he is an officer and tenant of the business. There was a misunderstanding on Mr. Ellis' part about the number of days that he had to become compliant. He has done a lot of work and had talked to Olivia Minshew, Community Development Director, about what is left for him to complete. After discussion about what else needs to be done, Waldron made the motion, seconded by Clark to grant an extension until August 23, 2010 to become compliant. Gibbs polled the Board. All were in favor. Motion carried.

10-034-L – Pamela J Ellis – 517 N 6th Ave – Darrell Ellis was present. This is the same situation as case **#10-034-NA**. Waldron made the motion, seconded by Clark to grant an extension until October 25, 2010. Gibbs polled the Board. All were in favor. Motion carried.

CEO Whaley testified that the last case on the agenda was compliant.

OLD/NEW Business

Gibbs stated that the City Commission had not appointed anyone to fill the Code Enforcement Board vacancy.

Being no further business, the meeting was adjourned.

Susie Gibbs, Secretary/Clerk

