

TOWN OF GRANT-VALKARIA
CODE ENFORCEMENT BOARD MEETING
July 17, 2007 @ 6:00 P.M.
TOWN HALL BUILDING, 5120 HIGHWAY US1, GRANT, FL 32949

The meeting of the Code Enforcement Board was called to order at 6:00 p.m. by Chairperson Terry Wolfe, followed by the Pledge and a moment of silent meditation, with the following in attendance:

Board Member Pete DeVos	Town Manager Matt Brock
Board Member Homer King	Town Attorney Karl Bohne
Board Member Mark Pagliarulo	Town Clerk Susanne Krueger
Board Member Terry Wolfe	
Board Member Jeff Robertson	
Board Member Royce Stifflemeyer	
Board Member John Krupp	
Alternate Board Member Al Janesky	
Alternate Board Member John Shatzer	

APPROVAL OF MINUTES: JUNE 5, 2007

Motions by Board Member King, second by Board Member DeVos, and vote unanimous to approve the minutes of June 5, 2007 with the amendment that "Motion by Member King, second by Member Robertson, and vote unanimous to appoint Pete DeVos as Secretary" be added to the minutes.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

1) Code Enforcement Officer Staff Update

Town Manager Brock introduced part time Code Enforcement Officer, Richard Andre. Mr. Andre handed out a listing of formal complaints that he has responded to.

Lee AnnWingenfeld, Brevard County Natural Resources, Code Enforcement Officer informed the Board that she has worked 4 code enforcement cases, and has 3 cases that she has not yet looked at.

Town Manager Brock informed the Board that Mr. Andre has ordered a badge and vehicle sign, and that once these are received he will feel more comfortable approaching code violators.

Question was brought before the Board as to whether the Code Enforcement Officer should respond to all calls from this point forward. Mayor Yonts informed the Board that when we formed the town, we told people that the complaints would be looked at when we got a code enforcement officer. Mayor Yonts suggested that the Code Enforcement Officer contact the complainants to ascertain if there still is a complaint and then make a decision. Code Enforcement Officer can use his expertise to determine which ones are more important.

2) Board Training

Town Manager Brock introduced Dan Porsi, Code Enforcement Administrator with the City of Melbourne.

Mr. Porsi had a mock agenda and walked the Board through the process as a quasi-judicial board, with the following notes:

- All witnesses are sworn in by the Town Attorney prior to case being heard
- All evidence is presented by the Code Enforcement Officer
- Code Enforcement Officer gives his recommendation to the Board
- Correspondence is sent certified mail
- Give violator some time so the official notice you send them gets to them within sufficient time to comply
- Keep fines in place until after correction is made, and then the Board can reduce fine if they want
- When violator asks for a rescission, you can reduce fines – the usual procedure is to charge no less than actual administrative cost
- Set compliance date to be the day before the next meeting
- Requirement that property is inspected the day it goes before the Board

Mr. Porsi recommended that the Board attend the Code Board training class in Altamonte Springs on August 10th. He also stated that the Melbourne Code Enforcement Board meets the last Wednesday of each month at 6:30 p.m. in the City's Council Chamber.

3) Machata Property – Parcel ID 29-38-34-00-00008-000.00 – Removal and Eradication of Vegetation

All witnesses, Matt Brock, Scott Glaubitz (representing Mr. Machata), and Lee Ann Wingenfeld (Brevard County Natural Resources) were sworn in by Town Attorney Bohne.

Town Manager Brock presented his case of Mr. Machata's violation.

Board Member Pagliarulo disclosed for the record that after a Council meeting people were talking to him about this property being cleared and this in no way will sway his decision.

Ms. Lee Ann Wingenfeld, Brevard County Natural Resources, presented her case of Mr. Machata's violation and stated that it was irreversible and irreparable.

Motions made by Board Member Krupp, second by Board Member King, and vote unanimous that the Board found the Town presented prima facie evidence of the violation based upon Brevard County Code Enforcement under Section 62-4365.

Scott Glaubitz of B. S. E. Consultants, representing Mr. Machata, presented his case.

It was the consensus of the Board to have the actual percentage of acreage that was cleared.

Motions by Board Member Krupp, second by Board Member Robertson, and vote to table as follows – Aye: Wolfe, Robertson, DeVos, Krupp, Stifflemeyer and Nay: King, Pagliarulo.

ADJOURN

Motion by Board Member Robertson, second by Board -Member King, and unanimous to adjourn meeting at 8:30 p.m.

(signature on file)

Terry Wolfe, Chairperson

ATTEST:

(signature on file)

Susanne R. Krueger, MMC, Town Clerk