

**Town of Grant-Valkaria  
Code Enforcement Board Minutes  
Thursday, November 8, 2007 at 6:30 P.M.  
Town Hall Building, 5120 Highway U.S. 1, Grant Valkaria, FL 32949**

The meeting of the Town of Grant-Valkaria, Code Enforcement Board was called to order at 6:34 p.m. by Chairperson Terry Wolfe followed by the Pledge, a moment of silent meditation and roll call to the Board Members, with the following present:

Chairperson Terry Wolfe	Town Manager Matthew Brock
Board Member Peter DeVos	Assistant to the Clerk, Linda Munroe
Board Member Homer King	Town Attorney Karl Bohne
Board Member Mark Pagliarulo	Code Enforcement Officer Richard Andre
Board Member John Krupp	
Board Member Royce Stifflemire	
Board Member Al Janesky	
Board Member John Shatzer	

Vice Chairperson Jeff Robertson was excused prior to the meeting.

**APPROVAL OF MINUTES:** July 17, 2007

These minutes were not available for the meeting to be approved and this was tabled for the next meeting.

**UNFINISHED BUSINESS:**

There was none.

**NEW BUSINESS:**

- 1) Case No. 07-02; Code violation on property located at 5835 Brabrook Avenue. Violation of Code Chapter 94, Article VI, Sec. 94-307, Sec. 94-312, Sec. 94-313, Sec. 94-48

Town Attorney Karl Bohne swore in persons that were going to speak on behalf of this case. Code Officer Andre read the description of the violations. He stated that the boats had been removed but the property is still overgrown. He also stated that the Town had received an email from the property owners that they had not received notice of the meeting until today. The green card was signed prior to the meeting date as well as posted. Code Officer Andre handed out a copy of the email to the Board Members. Board Member King asked if the boats were removed by the date specified in the request. Code Officer Andre answered that they had been. Chairperson Wolfe asked when the property had been posted as being in violation. Code Officer Andre answered that had been done on October 1<sup>st</sup> the same day the 1st certified letter went out to the property owner. Moved by Board Member King, seconded by Board Member Krupp to establish there is an overgrowth on the property at 5835 Brabrook. Motion carried unanimously. Chairperson Wolfe said that the next step is to decide on guidelines for this process and to notify the property owner on what he is required to do. Town Attorney Bohne told the Board that first the property owner must comply then impose a fine if he doesn't and give him time "to cure" the violation.

Moved by Board Member Stifflemire, seconded by Board Member DeVos to give the property owner 1 week from date of meeting to take care of the overgrowth on his property. Motion carried unanimously. Town Attorney Bohne told the Board that he will issue an order for this to be done so the motion was modified. Moved by Board Member Stifflemire, seconded by Board Member DeVos to give the property owner 1 week from the date the order is mailed by Town Attorney Bohne to comply. Motion carried unanimously. Board Member Janesky asked how the Board will be notified as to when the violation is cured. Town Attorney Bohne told the Board that the Town Code Officer or the Town Manager will let them know that the property owner has complied. Chairperson Wolfe told the Board that the 2<sup>nd</sup> phase is the penalty phase. Town Attorney Bohne said that the fine and order will be out immediately. The Board discussed the fine amount. Moved by Board Member Krupp, seconded by Board Member Pagliarulo to fine the property owner \$25.00 a day if he does not comply with order. Motion carried unanimously. Next the Board discussed the amount of time it took Code Officer Andre to work on this case. Town Manager Brock concurred that it was 11 hours. The 11 hours did not include any mileage or administrative fees. Moved by Board Member King, seconded by Board Member DeVos to make charge of \$209.88 assigned to property owner for Town reimbursement. Motion carried unanimously.

2) Case No. 07-03: Code violation on property at 250 Grant Road. Violation of Code Chapter 102, Sec. 102-44, Sec. 102-50; Chapter 62, Sec. 62-1254 Town Attorney Karl Bohne swore in persons that were going to speak on behalf of this case. Code Officer Andre told the Board that he would like to withdraw Sec. 62-1254 which is the 3<sup>rd</sup> violation. Town Attorney Bohne explained that in the zoning for that property recreational use is permitted. Town Code Officer Andre handed out to papers to the Board; one was for an ad from *Savings Safari Publications* for *Hog Wild Paintball* and the other was a copy from a *My Space website* page that the business has. Chairperson Wolfe asked Code Officer Andre to give the Board a few minutes to look over the handouts before they began any discussion on the process. Code Officer Andre then told the Board that he had received a complaint in September so he drove to the address and spoke to owner about a business receipt. The business owner later presented one for a business he has in Palm Bay which does not show any business in the Town of Grant-Valkaria. The business owner was then ordered to cease and desist with a certified letter being sent to the property owner, He also told the Board that the business is selling items. Mr. James Shelton, the owner of the property told the Board that he gave the business owner, Chester Bombriant permission to use the property for his business. He stated that *Hog Wild Paintball* is a non-profit group. Chairperson Wolfe stated that they are requiring the business to get a business tax receipt from the County for this address.

Business owner, Chester Bombriant was asked about the non-profit status of his business by the Board. He gave Town Attorney Bohne his paperwork to read and Town Attorney Bohne told him that the paperwork does not include tax exempt status which he would need. Mr. Bombriant said that his accountant took care of all required documentation. Town Attorney Bohne discussed how tax exempt status is only for educational, religious and government entities. By filing tax exempt it does not mean one is a non-profit group per IRS. The paperwork was in the name of *General Chester's Paintball* and he needs to have documents for *Hog Wild Paintball* at 250 Grant Road, Grant-Valkaria. Mr. Bombriant was asked about the fees for entrance and he stated that they go back to non-profit groups. He also told the Board that the County told him to come to the Town to get a Business Tax Receipt. Town Attorney Bohne told Mr. Bombriant that the Town Council is not requiring one only the County is. Board Member Krupp asked that if Mr. Bombriant gets a business tax receipt if he would be legal to operate in the Town at that address. Chairperson Wolfe said that it is general consensus to make sure business is doing as they say and produce license. Town Attorney Bohne said that it is between business owner and property owner to be sure since the property owner is responsible. It was stated that a citizen of the Town complained because they thought a business was being run without a license. Moved by Board Member King, seconded by Board Member Krupp to table this alleged violation until next meeting and give the business owner a chance to get a business tax receipt to show to the Town and then this is done. Motion carried unanimously.

As there was no more business to discuss moved by Board Member King, seconded by Board Member Krupp to adjourn the meeting at 7:30 p.m. Motion carried unanimously.

(signature on file)

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Terry Wolfe, Chairperson

ATTEST:

(signature on file)

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Linda Munroe, Assistant to the Clerk