

Okeechobee County Code Enforcement Special Magistrate Hearing

September 15, 2020 Minutes

The hearing of the Okeechobee County Code Enforcement Special Magistrate, Deborah M. Hooker, took place at the Okeechobee County Health Department Auditorium on Tuesday, August 18, 2020.

ROLL CALL:

The following county staff members were present for the morning session:

Beth Albert, Code Enforcement Supervisor
Jennifer Kinard, Code Enforcement Officer
Roy Griffin, Code Enforcement Officer
Matthew Olivo, Code Enforcement Officer

The following county staff members were present for the afternoon session:

Beth Albert, Code Enforcement Supervisor
Jennifer Kinard, Code Enforcement Officer
Roy Griffin, Code Enforcement Officer
Lakisha Gilchrist, Code Enforcement Officer

ADMINISTRATIVE ITEMS:

1. **Call to Order:** The Meeting was called to order by Special Magistrate Hooker at 9:10 am on Tuesday, September 15, 2020, after which Special Magistrate Hooker led the Pledge of Allegiance.
2. **Swear in Code Enforcement Officers:** Special Magistrate Hooker swore in the following Code Enforcement Officers: Beth Albert, Jennifer Kinard, Roy Griffin, Matthew Olivo and Lakisha Gilchrist.
3. **Cases in Compliance:** Officer Albert stated that the following cases are in compliance:

New Business: Marilyn Golden	Case number: 1507-0030
New Business: William & Penny R Cardullo	Case number: CE2001-0109
New Business: Mosco Gilman Jr	Case number: CE2001-0057
New Business: Paulino S & Isidra Valdez	Case number: 1911-0157
New Business: Delora & Selvin A Lawla	Case number: 1911-0171
New Business: Duc V & Thu Huynh Nguyen	Case number: 1708-0020
New Business: Duc V & Thu Huynh Nguyen	Case number: 1708-0019
New Business: Duc V & Thu Huynh Nguyen	Case number: 1708-0021
New Business: Jose V Arellano & Blanca E Corona	Case number: 1911-0069
New Business: Tara Denise Wilson	Case number: 1911-0167
Old Business: Gerald E Acheson	Case number: 1906-0184
Old Business: Maureen M Sheets	Case number: 1812-0022

Continued Cases: The following cases were continued until the October 20, 2020 hearing:

New Business: Victor Martin

Case number: 1612-0025

Old Business: Robert M Kolovrat & Vera C Kolovrat

Case number: 1906-0121

4. **Minutes:** Special Magistrate Hooker approved and signed the minutes from the August 18, 2020 hearing.
5. **Public Comment:** Special Magistrate Hooker invited public comment. There were no public comments.

Cases may have been called out of order of the agenda due to the presence of certain parties.

NEW BUSINESS:

Case number 1909-0098 for Matthew Lee Seacrist was called.

Matthew Lee Seacrist was present for this case and sworn for testimony.

Mr. Seacrist provided his mailing address as 7731 NW 92nd Court, Okeechobee, FL 34972. Officer Griffin presented the case for the property located at 7731 NW 92nd Court which was cited for unauthorized occupancy of RV, 7.08.05 and parking, storage and use of certain vehicles, 2.07.00A. The RV remains on the property. Mr. Seacrist states the title is missing and he is working on getting the registration or will move it.

Officer Griffin offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in violation of sections 7.08.05 and 2.07.00A. Special Magistrate Hooker ordered Respondent to be in full compliance by removing or registering the RV by November 12, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

Case number 1901-0067 for Isabel Leon was called.

Juan Garcia, son of Isabel Garcia, and Carla Camargo, daughter in law, were present for this case and sworn for testimony.

Mr. Garcia and Mrs. Carmargo provided their mailing address as 630 NW 34th Terrace, Okeechobee, FL 34972. Officer Griffin presented the case for the property located at 630 NW 34th Terrace which was cited for inoperable, abandoned vehicles, 10.02.02B, trash and debris, 10.02.02D, unauthorized use of land and/or building, 10.02.02F, general nuisance, 10.02.02E, outdoor storage, 10.02.02L, condition that harbors vermin, 10.02.03J, parking, storage, use of certain vehicles, 2.07.00A, unauthorized business in residential district, 2.05.02I, and operating a business without a license, 62.105C. Mr. Garcia states the owners are not well and he has agreed to assist the owners with clean up. Property remains in violation.

Officer Griffin offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02B, 10.02.02D, 10.02.02E, 10.02.02F, 10.02.02L, 10.02.03J, 2.07.00A, 2.05.02I, and 62.105C. Special Magistrate Hooker ordered Respondent to be in full compliance by removing trash, debris, removing or registering vehicles, clearing outdoor storage, and ceasing business activities by October 15, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

Case number 1601-0040 for 20337 Prairie Inc was called.

Wayne Mills, treasurer for 20337 Prairie Inc, was present for this case and sworn for testimony.

Mr. Mill provided the mailing address of 1382 NE 27th Court, Pompano Beach, FL 33064. Officer Griffin presented the case for the property located at 20327 NW 300th Street which was cited for inoperable, abandoned vehicles, 10.02.02B, violation of minimum housing standards, 10.02.02O, trash and debris, 10.02.02D, unauthorized use of land and/or building, 10.02.02F, parking, storage, use of certain vehicles, 2.07.00A and unauthorized structures, buildings, containers, 7.09.01B. Owner has removed 2 RVs and plans to survey and site plan the property. Mr. Mills stated the remaining RVs will be removed.

Officer Griffin offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02B, 10.02.02O, 10.02.02D, 10.02.02F, 2.07.00A and 7.09.01B. Special Magistrate Hooker ordered Respondent to be in full compliance by removing RVs and inoperable vehicles and clearing property of trash and debris by November 12, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

Case number 1812-0064 for Jimmy Allen Payne & Marianne Vestal was called.

Jimmy Allen Payne Jr and Louis James Vestal were present for this case and sworn for testimony.

Jimmy Allen Payne and Marianne Vestal are deceased. Mr. Payne provided his mailing address as 801 NW 39th Circle, Okeechobee, FL 34972. Officer Griffin presented the case for the property located at 801 NW 39th Circle which was cited for trash and debris, 10.02.02D, outdoor storage, 10.02.02L and condition which constitutes a safety hazard, 10.02.02E. Mr. Payne and Mr. Vestal stated there was no probate, tenants live in the back and the shed will be removed.

Officer Griffin offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02D, 10.02.02L and 10.02.02E. Special Magistrate Hooker ordered Respondent to be in full compliance by removing trash, debris and outdoor storage and removing shed by October 15, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

Case number 1902-0016 for Agustin Gomez was called.

Agustin Gomez and Ana Gomez, daughter and interpreter, were present for this case and sworn for testimony.

Mr. Gomez provided his mailing address as 3939 NW 1st Street, Okeechobee, FL 34972. Officer Griffin presented the case for the property located at 3939 NW 1st Street which was cited for unsafe structure, 8.00.00G 108.1.1 and condition which constitutes a safety hazard, 10.02.02E. A contractor is required for demolition and Mr. Gomez states he does not have the funds.

Officer Griffin offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in violation of sections 8.00.00G 108.1.1 and 10.02.02E. Special Magistrate Hooker ordered Respondent to be in full compliance by removing the 2 derelict mobile homes by a licensed contractor by October 15, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

Case number 1902-0017 for Agustin Gomez was called.

Agustin Gomez and Ana Gomez, daughter and interpreter, were present for this case and sworn for testimony.

Mr. Gomez provided his mailing address as 3939 NW 1st Street, Okeechobee, FL 34972. Officer Griffin presented the case for the property located at 3939 NW 1st Street which was cited for unsafe structure, 8.00.00G 108.1.1 and condition which constitutes a safety hazard, 10.02.02E. A contractor is required for demolition and Mr. Gomez states he does not have the funds.

Officer Griffin offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in violation of sections 8.00.00G 108.1.1 and 10.02.02E. Special Magistrate Hooker ordered Respondent to be in full compliance by removing the 2 derelict mobile homes by a licensed contractor by October 15, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

Case number 1905-0163 for Rick's Rentals, LLC was called.

No parties were present for this case.

Officer Griffin presented the case for the property located at 3707 SE 27th Street which was cited for overgrowth, 10.02.02K, outdoor storage, 10.02.02L, deterioration of property, 10.01.00A, unauthorized structures, buildings, containers, 7.09.01B and condition which harbors vermin, 10.02.03J. Property remains in violation.

Officer Griffin offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02K, 10.02.02L, 10.01.00A, 7.09.01B and 10.02.03J. Special Magistrate Hooker ordered Respondent to be in full compliance by removing the 2 derelict mobile homes by a licensed contractor by October 15, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

BREAK UNTIL AFTERNOON SESSION

NEW BUSINESS:

Case number CE2001-0033 for Antonio and Maria Prado was called.

Belen Prado, daughter, was present for this case and sworn for testimony.

Ms. Prado provided the mailing address of 3534 NW 33rd Avenue, Okeechobee, FL 34972. Officer Gilchrist presented the case for the property located at 3534 NW 33rd Avenue which was cited for trash and debris, 10.02.02D and outdoor storage, 10.02.02L. Ms. Prado stated she is working on clean up of the property. Property remains in violation.

Officer Gilchrist offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02D and 10.02.02L. Special Magistrate Hooker ordered Respondent to be in full compliance by removing trash, debris and outdoor storage by October 15, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

Case number 1911-0043 for Linda L Frost was called.

Linda Frost and Andre Frost, son, were present for this case and sworn for testimony.

Mrs. Frost provided the mailing address of 1011 NE 16th Avenue, Okeechobee, FL 34972. Officer Kinard presented the case for the property located at 1011 NE 16th Avenue which was cited for inoperable, abandoned vehicles, 10.02.02B, outdoor storage, 10.02.02L, parking, storage, use of certain vehicles, 2.07.00A, and unauthorized occupancy of RV, 7.08.05E. Mr. Frost stated he would work on clearing the property.

Officer Kinard offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02B, 10.02.02L, 2.07.00A and 7.08.05E. Special Magistrate Hooker ordered Respondent to be in full compliance by removing or registering RV by October 15, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

Case number 1906-0154 for Felipe and Ramona Bucio was called.

Liborio Bucio, cousin, was present for this case and sworn for testimony.

Officer Gilchrist presented the case for the property located at 7890 NW 92nd Court which was cited for inoperable, abandoned vehicles, 10.02.02B, trash and debris, 10.02.02D, overgrowth, 10.02.02K and outdoor storage, 10.02.02L. Property remains in violation.

Officer Gilchrist offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02B, 10.02.02D, 10.02.02K and 10.02.02L. Special Magistrate Hooker ordered Respondent to be in full compliance by removing vehicles, trash, debris, overgrowth and outdoor storage by October 15, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

Case number 1912-0106 for Jennifer Osceola was called.

Jennifer Osceola was present for this case and sworn for testimony.

Ms. Osceola provided her mailing address as 5033 NE 122nd Drive, Okeechobee, FL 34972. Officer Gilchrist presented the case for the property located at 5063 NE 122nd Court which was cited for inoperable, abandoned vehicles, 10.02.02B, trash and debris, 10.02.02D, overgrowth, 10.02.02K, outdoor storage, 10.02.02L and construction without a permit, 13.01.01. Property remains in violation.

Officer Gilchrist offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02B, 10.02.02D, 10.02.02K, 10.02.02L and 13.01.01. Special Magistrate Hooker ordered Respondent to be in full compliance by removing vehicles, trash, debris, overgrowth and outdoor storage and permitting structure by October 15, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

OLD BUSINESS:

Case number 1904-0135 for Robert Allen Wright and Luci Michelle Wright was called.

Luci Wright was present for this case and sworn for testimony.

Mrs. Wright provided her mailing address as 9125 SE 62nd Drive, Okeechobee, FL 34974. Officer Kinard presented the case for the property located at 9125 SW 62nd Drive which was previously heard during the August 18, 2020 hearing and cited for inoperable, abandoned vehicles, 10.02.02B, trash and debris, 10.02.02D and outdoor storage, 10.02.02L. Property remains in violation.

Officer Kinard offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02B, 10.02.02D and 10.02.02L. Special Magistrate Hooker ordered Respondent to be in full compliance by removing trash, debris and outdoor storage and removing or registering vehicles by October 15, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

NEW BUSINESS:

Case number CE2001-0006 for Mitchell Allen Rucks II was called.

No parties were present for this case.

Officer Gilchrist presented the case for the property located at 3307 SW 23rd Street which was cited for trash and debris, 10.02.02D, overgrowth, 10.02.02K and outdoor storage, 10.02.02L. Property remains in violation.

Officer Gilchrist offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02D, 10.02.02K and 10.02.02L. Special Magistrate Hooker ordered Respondent to be in full compliance by removing trash, debris and outdoor storage and clearing overgrowth by October 15, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

Case number CE2001-0026 for James Frye, Dorothy Frye and Kristie Frye was called.

No parties were present for this case.

Officer Gilchrist presented the case for the property located at 3535 NW 35th Avenue which was cited for inoperable, abandoned vehicles, 10.02.02B, trash and debris, 10.02.02D, overgrowth, 10.02.02K and outdoor storage, 10.02.02L. Property remains in violation.

Officer Gilchrist offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02B, 10.02.02D, 10.02.02K and 10.02.02L. Special Magistrate Hooker ordered Respondent to be in full compliance by removing vehicles, trash, debris and outdoor storage and clearing overgrowth by October 15, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

OLD BUSINESS:

Case number 1902-0125 for Jo Ann Barton was called.

No parties were present for this case.

Officer Kinard presented the case for the property located at 16008 NW 308th Street which was previously heard during the July 21, 2020 hearing and cited for trash and debris, 10.02.02D, condition which constitutes a safety hazard, 10.02.02E, overgrowth, 10.02.02K, unsafe structure, 8.00.00G 108.1.1, structure unfit for human occupancy, 8.00.00G 108.1.3 and demolition order, 8.00.00G 110.0. No progress has been made. Be a Man Buy Land is still working towards foreclosure.

Officer Kinard offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02D, 10.02.02E, 10.02.02K, 8.00.00G 108.1.1, 8.00.00G 108.1.3 and 8.00.00G 110.0. Special Magistrate Hooker ordered Respondent to be in full compliance by demolishing the structure with all required permits, fees and inspections and clear the property of trash, debris and overgrowth by November 12, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

Case number 1906-0079 for Joseph Papasso IV and Charlotte Rhea Papasso was called.

No parties were present for this case.

Officer Kinard presented the case for the property located at 2625 NW 32nd Avenue which was previously heard during the August 18, 2020 hearing and cited for trash and debris, 10.02.02D, overgrowth, 10.02.02K and outdoor storage, 10.02.02L. Property has come into compliance, however it was noted on record that the respondents are repeat violators and this property was out of compliance from June 3, 2019 to September 15, 2020.

Officer Kinard offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in compliance, however recognized that the Respondents are repeat violators and the property was in violation from June 3, 2019 to September 15, 2020.

Case number 1907-0056 for Secretary of Housing and Urban Development was called.

No parties were present for this case.

Officer Kinard presented the case for the property located at 8350 SW 9th Street which was previously heard during the August 18, 2020 hearing and cited for overgrowth, 10.02.02K. Property remains in violation.

Officer Kinard offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in violation of section 10.02.02K. Special Magistrate Hooker imposed a daily fine of \$30.00 to begin on September 16, 2020. The order lien is to be filed at the Clerk of Court in no less than 14 days.

Case number 1909-0078 for Rufus Tiger was called.

No parties were present for this case.

Officer Gilchrist presented the case for the property located at 4344 SE 22nd Court which was previously heard during the August 18, 2020 hearing and cited for trash and debris, 10.02.02D, overgrowth, 10.02.02K and outdoor storage, 10.02.02L. Property remains in violation.

Officer Gilchrist offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02D, 10.02.02K and 10.02.02L. Special Magistrate Hooker imposed a daily fine of \$30.00 to begin on September 16, 2020. The order lien is to be filed at the Clerk of Court in no less than 14 days.

Case number 1905-0117 for Abigail E Vause and Steven M Vause was called.

No parties were present for this case.

Officer Gilchrist presented the case for the property located at 3283 SW 23rd Street which was previously heard during the August 18, 2020 hearing and cited for trash and debris, 10.02.02D, overgrowth, 10.02.02, outdoor storage and construction without a permit, 13.01.01. Property remains in violation

Officer Gilchrist offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02D, 10.02.02K 10.02.02L and 13.01.01. Special Magistrate Hooker imposed a daily fine of \$30.00 to begin on September 16, 2020. The order lien is to be filed at the Clerk of Court in no less than 14 days.

Case number 1907-0053 for Rufus E Rhoden and Joellen J Rhoden was called.

No parties were present for this case.

Officer Griffin presented the case for the property located at 3727 SW 13th Terrace which was previously tabled during the August 18, 2020 hearing and cited for unauthorized structures, buildings, and/or containers, 7.09.01B, and parking, storage, and/or use of certain vehicles, 2.07.00A. The property remains in violation.

Officer Griffin offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in violation of sections 7.09.01B and 2.07.00A. Special Magistrate Hooker imposed a daily fine of \$30.00 to begin on September 16, 2020. The order lien is to be filed at the Clerk of Court in no less than 14 days.


ADJOURNMENT:

There being no further business, Special Magistrate Hooker adjourned the meeting.



Brandi Williamson, Secretary to Special Magistrate

10/20/20
Date



Deborah M. Hooker, Special Magistrate

10-20-20
Date