

# Okeechobee County Code Enforcement Special Magistrate Hearing

## April 20, 2021, 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, April 20, 2021.

### ROLL CALL:

*The following county staff members were present:*

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 9:15 am on Tuesday, April 20, 2021, 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, and Lakisha Gilchrist.
3. **Cases in Compliance:** Officer Albert stated that the following cases are in compliance:

New Business: Carol Herbst	Case number: CE2006-0130
New Business: Alison M. Bartlett and Teresa L Bartlett	Case number: CE2003-0086
New Business: Felipe Aguirre	Case number: CE2009-0266
New Business: Charles Powell	Case number: CE2006-0046
New Business: Jessica Brumley	Case number: CE2007-0042
New Business: Michael Naeyaert and Mary Naeyaert	Case number: CE2002-0124
Old Business: James Sweat Jr	Case number: CE2001-0060

4. **Minutes:** No minutes were approved at this 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 CE2007-0043 Alexander George Brock was called.*

No parties were present for this case.

Officer Gilchrist presented the case for the property located at 5928 SE 95<sup>th</sup> Trail, which was cited for abandoned/inoperable vehicles, 10.02.02B, trash and debris, 10.02.02D, overgrown weeds or grass, 10.02.02K, outdoor storage, 10.02.02L, condition of building, 10.04.00B. 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 section 10.02.02B, 10.02.02D, 10.02.02K, 10.02.02L, and 10.04.00B. Special Magistrate Hooker ordered the Respondent to be in full compliance by removing the cited violations by May 13, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

*Case number CE2009-0004 for William G. Ledford and Vergie M. Ledford (Estate) was called.*

No parties were present for this case.

Officer Gilchrist presented the case for the property located at 6022 SE 95<sup>th</sup> Trail, which was cited for overgrown weeds or grass, 10.02.02K, condition of building, 10.04.00B, repair skirting, 10.04.00D. 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 section 10.02.02K, 10.04.00B and 10.04.00D. Special Magistrate Hooker ordered the Respondent to be in full compliance by removing the cited violations by May 13, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

*Case number CE2005-0095 for Willie W. Tindell and Kaitlin A. Ecker was called.*

James Tindell was present for this case and sworn for testimony.

Officer Kinard presented the case for the property located at 1645 SW 11<sup>th</sup> Street, which was cited for trash and debris, 10.02.02 D, overgrown weeds, grass, 10.02.02K. Mr. Tindell understands the violation and has obtained help to bring the property into compliance. It was discussed that the other owner, Kaitlin A. Ecker is incarcerated, and he does not have her address. 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 10.02.02D and 10.02.02K. Special Magistrate Hooker ordered Respondent to be in full compliance by removing cited violations by May 13, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

***Case number CE2007-0051 for Bobby R. Forrester was called.***

No parties were present for this case.

Officer Kinard presented the case for the property located at 7235 NE 4<sup>th</sup> Street, which was cited for trash and debris, 10.02.02 D, unauthorized farm animals in residential district, 10-7A. 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 10.02.02D and 10-7A. Special Magistrate Hooker ordered Respondent to be in full compliance by removing cited violations by May 13, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

***Case number CE2011-0055 for Javaris Johnson Sr. and Leona Johnson was called.***

No parties were present for this case.

Officer Kinard presented the case for the property located at 919 NE 13<sup>th</sup> Avenue, which was cited for abandoned/inoperable vehicles, 10.02.02B, trash and debris, 10.02.02 D, violation of minimum housing standards, 10.02.02F, outdoor storage, 10.02.02L, parking, storage, use of certain vehicles, 2.07.00A, prohibited uses and structures, 2.04.02B. 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, 10.02.02F, 10.02.02L, 2.07.00A and 2.04.02B. Special Magistrate Hooker ordered Respondent to be in full compliance by removing cited violations by May 13, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

***Case number 1911-0141 for Michael C. Callaway was called.***

No parties were present for this case.

Officer Griffin presented the case for the property located at 20962 NW 258<sup>th</sup> Street, which was cited for construction without building permit, 13.01.01, unauthorized use of land and/or building, 10.02.02F, unauthorized structures, buildings, containers, 7.09.01B, parking, storage, use of certain vehicles, 2.07.00A, setback violation or required yard encroachment, 7.02.04. 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 13.01.01, 10.02.02F, 7.09.01B, 2.07.00A and 7.02.04. Special Magistrate Hooker ordered the Respondent to be in full compliance by removing the cited violations by May 13, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

***Case number 1911-0047 for Kolton Carter was called.***

No parties were present for this case.

Officer Griffin presented the case for the property located at 17064 NW 304<sup>th</sup> Street, which was cited for abandoned/inoperable vehicles, 10.02.02B, unauthorized use of land and/or building, 10.02.02F, outdoor storage, 10.02.02L, parking, storage, use of certain vehicles, 2.07.00A. 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. Special Magistrate Hooker ordered the Respondent to be in full compliance by removing the cited violations by May 13, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

***Case number CE2002-0046 for Delaneo Wayne Pryor and Stephanie Ann Pryor was called.***

No parties were present for this case.

Officer Griffin presented the case for the property located at 16377 NW 300<sup>th</sup> Street, which was cited for unauthorized use of land and/or building, 10.02.02F, parking, storage, use of certain vehicles, 2.07.00A. 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 10.02.02F and 2.07.00A. Special Magistrate Hooker ordered the Respondent to be in full compliance by removing the cited violations by May 13, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

***Case number CE2009-0269 for Charles E. Lepley Sr. was called.***

Charles E. Lepley Jr. was present for this case and sworn for testimony.

Officer Gilchrist presented the case for the property located at 4344 SE 23<sup>rd</sup> Court, which was cited for abandoned/inoperable vehicle, 10.02.02B, trash and debris, 10.02.02D, overgrowth, 10.02.02K, and outdoor storage, 10.02.02L. Mr. Lepley Jr. stated that he is in the process of cleaning up the property and will try to have all violations cleared within the next few weeks. 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 the Respondent to be in full compliance by removing the cited violations by May 13, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

**BREAK UNTIL AFTERNOON SESSION**

**OLD BUSINESS:**

***Case number 1908-0035 for Edwin Berle Rucks Jr. was called.***

Edwin Berle Rucks Jr was present and Frances Killino both were sworn for testimony.

Mr. Rucks provided his mailing address as 28320 NE 55<sup>th</sup> Avenue, Okeechobee, FL 34972. Officer Griffin presented the case for the property located at 28480 NE 55<sup>th</sup> Avenue, which was previously heard during the March 16, 2021 hearing and cited for trash and debris, 10.02.02D, overgrowth, 10.02.02K, violation of minimum housing standards, 10.02.02O, harborage for vermin, 10.02.03J, and deterioration of building, 10.01.00A. Mr. Killino stated that he is going to help Mr. Rucks with his electrical issues and address the other violations. 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 10.02.02D, 10.02.02O, 10.02.03J, and 10.01.00A. Special Magistrate Hooker ordered the Respondent to be in full compliance by removing the cited violations by May 13, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

***Case number CE2005-0029 for Edwin Berle Rucks Jr. and Ashley E. Rucks was called.***

Edwin Berle Rucks Jr was present and Frances Killino both were sworn for testimony.

Mr. Rucks provided his mailing address as 28320 NE 55th Avenue, Okeechobee, FL 34972. Officer Griffin presented the case for the property located at 28320 NE 55th Avenue, which was previously heard during the March 16, 2021 and cited for trash and debris, 10.02.02D, unauthorized use of land and/or building, 10.02.02F, overgrowth, 10.02.02K, outdoor storage, 10.02.02L, harborage for vermin, 10.02.03J, deterioration of building, 10.01.00A, encroachment of rights of way, 7.03.03C, and business without a license, 62.105C. Mr. Killino stated that he is going to help Mr. Rucks with his electrical issues and address the other violations. 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 10.02.02D, 10.02.02F, 10.02.02K, 10.02.02L, 10.02.03J, 10.01.00A, 7.03.03C, and 62.105C. Special Magistrate Hooker ordered the Respondent to be in full compliance by removing the cited violations by May 13, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

*Case number 1905-0050 for Emilio Juandumoio Casamajor II and Andrea Conde was called.*

Emilio Juandumoio Casamajor II, was present for this case and sworn for testimony.

Mr. Casamajor provided the mailing address as 3917 Moultrie Road, Albany, Georgia, 31705-5164. Officer Griffin presented the case for the property located at NW 313<sup>th</sup> Street, which was previously heard during the January 19, 2021 hearing and cited for trash and debris, 10.02.02D, unauthorized use of land and/or building, 10.02.02F, overgrowth, 10.02.02K, outdoor storage, 10.02.02L, violation of minimum housing standards, 10.02.02O, occupied RV, 7.08.05, parking and storage of certain vehicles, 2.07.00A. There was discussion regarding Mr. Casamajor is living out of state and occasionally visits the property. It was agreed upon by the owner that the stipulation would be a fine would start on June 11, 2021 if the property is not in compliance. 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, 10.02.02F, 10.02.02K, 10.02.02L, 10.02.02O, 7.08.05, 2.07.00A. Special Magistrate Hooker ordered Respondent to be in full compliance by removing cited violations by June 10, 2021 and if not in compliance a fine would start at \$30.00 per day beginning June 11, 2021 and continuing per day thereafter.**

*Case number CE2001-0045 for Jeffrey Jones (deceased) and Susan L Frazier was called.*

No parties were present for this case.

Officer Kinard presented the case for the property located at 8336 Hwy 441 SE, which was previously heard during the March 16, 2021 hearing and cited for unpermitted construction, 13.01.01. 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 13.01.01. Special Magistrate Hooker ordered Respondent to be in full compliance by removing cited violations by May 13, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

*Case number 1912-0002 for Rhonda J. Beverly was called.*

No parties were present for this case.

Officer Griffin presented the case for the property located at 18182 NW 278<sup>th</sup> Street, which was previously heard during the March 16, 2021 hearing and cited for unauthorized use of land and/or building, 10.02.02F, parking, storage and use of certain vehicles, 2.07.00A, unauthorized structures, buildings, containers, 7.09.01B and unpermitted construction, 13.01.01. 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 10.02.02F, 2.07.00A, 7.09.01B and 13.01.01. Special Magistrate Hooker imposed a daily fine of \$30.00 to begin April 21, 2021 and remain in place until the property is brought into compliance. The lien shall be filed at the Clerk of Court in no less than 14 days.**

**REDUCTION OF FINE:**

*Case number 2203-0015 for Anthony Hatten was called.*

Michael Hatten was present and sworn in for testimony.


Officer Albert offered supporting documents for the property located at 4141 SE 28<sup>th</sup> Street.

The fine ran from November 19, 2002, thru February 1, 2021, for \$250.00 per day reaching a total of \$1,662,250.00. It was discussed that Mr. Hatten was unaware of the violations on his father's property. The County then proposed an offer of reductions to the amount of \$2,000. Mr. Hatten agreed to the offer.

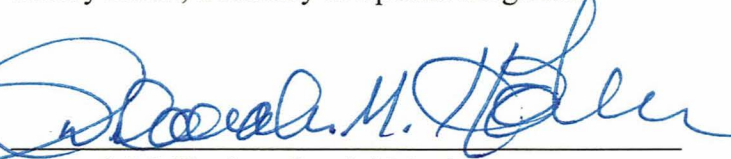
**Special Magistrate Hooker recommended the reduction to the amount of \$2,000.00 to be presented for approval at the next Board of County Commissioner meeting.**

**ADJOURNMENT:**

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

  
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Shelby Ritter, Secretary to Special Magistrate

8.17.2021  
Date

  
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Deborah M. Hooker, Special Magistrate

8-17-21  
Date