

MINUTES OF THE APRIL 13TH, 2016
CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

The following are the minutes of the Special Magistrate Hearing held on April 13th, 2016 as taken by Jamie Davis

Present at the hearing:

SPECIAL MAGISTRATE

Charles D. Johnson

CODE ENFORCEMENT STAFF:

Dennis Bunt, Code Enforcement Supervisor
Lisa Grider, Code Enforcement Officer
Stan Wilson, Code Enforcement Officer
Mark Shepherd, Code Enforcement Officer
Ron Collodi, Code Enforcement Manager
Jamie Davis, Public Hearing Coordinator

STAFF ATTORNEY:

Diana Johnson, Assistant County Attorney

Charles D. Johnson called the meeting of the Special Magistrate to order at 1:00 p.m.

Staff was sworn in by Charles Johnson.

Code Enforcement:

ITEM 3

Wilmington Savings Fund Society, FSB Not in its Individual Capacity but solely as Trustee for the Primestar-H Fund I Trust, SM-2016-01-0028

Respondents were not present.

Diana Johnson stated this case is charging the owner with violation of Section 3.01.03 "Schedule of Permitted and Conditional Uses". Staff recommended the Special Magistrate find the Respondent in violation and grant 14 days to comply or a fine of \$50.00 per day to begin on the 15th day if not in compliance.

File was entered into evidence.

Officer Stan Wilson testified to the facts of the case.

Supervisor Dennis Bunt offered testimony.

Special Magistrate Charles D. Johnson accepted staff's recommendations.

ITEM 4

Thomas & Margaret Fulton, SM-2015-07-0176

Respondents were not present.

Diana Johnson stated this case is charging the owners with violation of Section 14-56 "Declaration of Nuisance and Prohibited conditions" and Section 6-22 "Adoption and Enforcement". Staff recommended the Special Magistrate find the Respondents in violation and grant 14 days to comply or a fine of \$100.00 per day to begin on the 15th day if not in compliance.

File was entered into evidence.

Officer Stan Wilson testified to the facts of the case.

Special Magistrate Charles D. Johnson accepted staff's recommendation.

ITEM 6

Randy & Deborah Daudelin, SM-2015-12-0127

Respondents were not present.

Diana Johnson stated this case is charging the owners with violation of Section 23-99 "Accumulation of Solid Waste Prohibited" and Section 14-56 "Declaration of Nuisance and Prohibited Conditions".

File was entered into evidence.

Officer Mark Shepherd testified to the facts of the case and testified that the property is currently in compliance and requested that the Respondents be Ordered to remain in compliance.

Special Magistrate Charles D. Johnson accepted staff's recommendation.

ITEM 7

Imelda Wilson, SM-2015-09-0172

Respondent was not present.

Diana Johnson stated this case is charging the owner with violation of Section 23-98 "Junk" and Section 23-99 "Accumulation of Solid Waste Prohibited". Staff recommended the Special Magistrate find the Respondent in violation of these sections and grant 14 days to comply or a fine of \$100.00 per day to begin on the 15th day if not in compliance.

File was entered into evidence

Officer Mark Shepherd testified to the facts of the case.

Special Magistrate Charles D. Johnson accepted staff's recommendation.

ITEM 9

Thomas & Angela McGraw

Respondents were not present.

Diana Johnson stated that this case was charging the owner with violation of Section 23-98 "Junk", Section 23-99 "Accumulation of Solid Waste Prohibited" and Section 14-56 "Declaration of Nuisance and Prohibited Conditions". Staff recommended the Special Magistrate find the Respondents in violation and grant 14 days to comply or a fine of \$50.00 per day to begin on the 15th day if not in compliance.

File was entered into evidence.

Special Magistrate Charles D. Johnson accepted staff's recommendation.

ITEM 11

Ronald & Glenda Weeks, SM-2015-08-0144

Ronald Weeks was present and sworn.

Diana Johnson stated this case is charging the owner with violation of Section 23-99 "Accumulation of Solid Waste Prohibited." Staff recommended the Special Magistrate find the Respondents in violation and grant 30 days to comply or a fine of \$100.00 per day to begin on the 31st day if not in compliance.

File was entered into evidence.

Ronald Weeks testified to the facts of the case and requested additional time to come into compliance.

Officer Lisa Grider testified to the facts of the case.

Special Magistrate Charles D. Johnson granted the Respondent 160 days to comply and Respondent must provide a receipt every 30 days showing the amount of tires disposed. The Respondent must dispose of a minimum of 1100 tires a month.

ITEM 12

Patricia B. Hogans, SM-2015-06-0216

Respondent was not present.

Diana Johnson stated this case is charging the owner with violation of Section 14-56 "Declaration of Nuisance and Prohibited Conditions", Section 23-98 "Junk" and Section 23-99 "Accumulation of Solid Waste Prohibited". Staff recommended the Special Magistrate find the Respondent in violation of these sections and grant 14 days to comply or a fine of \$100.00 per day to begin on the 15th day if not in compliance.

File was entered into evidence.

Officer Lisa Grider testified to the facts of the case.

Special Magistrate Charles D. Johnson accepted staff's recommendation.

ITEM 14

Myrta E. Aviles, SM-2015-04-0050

Respondent was not present.

Diana Johnson stated this case is charging the owner with repeat violation of Section 23-98 "Junk", former Section 21-25. Staff recommended the Special Magistrate find the Respondent in repeat violation of this section and impose a daily fine of \$200.00 until the property is brought into compliance.

File was entered into evidence.

Officer Lisa Grider testified to the facts of the case.

Special Magistrate Charles d. Johnson accepted staff's recommendation.

ITEM 16

Craig Knoblock & Elizabeth Peterson, SM-2015-10-0006

Respondents were not present.

Diana Johnson stated this case is charging the owner with violation of Section 14-56 "Declaration of Nuisance and Prohibited Conditions". Staff recommended the Special Magistrate find the Respondents in violation and grant 14 days to comply or a fine of \$50.00 per day to begin on the 15th day if not in compliance.

File was entered into evidence.

Officer Lisa Grider testified to the facts of the case.

Special Magistrate Charles D. Johnson accepted staff's recommendation.

ITEM 17

Bank of America NA, SM-2015-12-0197

Respondent was not present. Jessica Graham was present on behalf of ERA Grizzard Real Estate.

Diana Johnson stated this case is charging the owner with violation of Section 23-99 "Accumulation of Solid Waste Prohibited" and Section 14-56 "Declaration of Nuisance and Prohibited Conditions". Staff recommended the Special Magistrate find the Respondent in violation and grant 14 days to comply or a fine of \$100.00 per day to begin on the 15th day if not in compliance.

File was entered into evidence.

Officer Lisa Grider testified to the facts of the case.

Jessica Graham requested 30 days to come into compliance.

Special Magistrate Charles D. Johnson granted 30 days to come into compliance. Respondent may request additional time if making substantial efforts to come into compliance prior to the 30 days expiring.

ITEM 18

Alfred Jabbour, SM-2015-09-0295

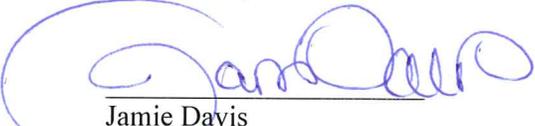
Respondent was not present.

Diana Johnson stated this case is charging the owner with violation of Section 14-56 "Declaration of Nuisance and Prohibited Conditions". Staff recommended the Special Magistrate find the Respondent in violation and grant 14 days to comply or a fine of \$50.00 per day to begin on the 15th day if not in compliance.

File was entered into evidence.

Officer Lisa Grider testified to the facts of the case.

Special Magistrate Charles D. Johnson accepted staff's recommendations.



Jamie Davis
Recording Secretary

Receipt of the minutes as prepared of the April 13th, 2016 hearing is acknowledged this 11 day of May 2016.

Charles D. Johnson Special Magistrate