

MINUTES OF THE SEPTEMBER 14, 2016  
CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

The following are the minutes of the Special Magistrate Hearing held on September 14, 2016 as taken by Jamie Davis

Present at the hearing:

**SPECIAL MAGISTRATE**

Charles D. Johnson

**CODE ENFORCEMENT STAFF:**

Ron Collodi, Code Enforcement Manager  
Dennis Bunt, Code Enforcement Supervisor  
Lisa Douglas, 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 10:00 a.m.

Staff was sworn in by Charles Johnson.

Diana Johnson announced the changes to the agenda.

**Code Enforcement:**

**ITEM 2**

**Clara Coutts & Kenneth Coutts, SM-2016-07-0012**

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 of this section and grant 14 days to comply or a fine of \$100.00 per day to begin on the 15<sup>th</sup> day.

File was entered into evidence.

Officer Lisa Douglas testified to the facts of the case.

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

**ITEM 3**

**Luis Andino, SM-2016-06-0330**

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 of this section and grant 14 days to comply or a fine of \$100.00 per day to begin on the 15<sup>th</sup> day.

File was entered into evidence.

Officer Lisa Douglas testified to the facts of the case.

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

**ITEM 5**

**Lois Brandt, SM-2016-05-0328**

Lois Brandt was present.

Special Magistrate Charles D. Johnson stated he was recusing himself from this case as he knows Lois Brandt.

Case will be reset before the alternate Special Magistrate.

**ITEM 7**

**Anthony Pruchniak & Heather Pruchniak**

Heather Pruchniak was present and sworn.

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 15<sup>th</sup> day.

File was entered into evidence

Officer Lisa Douglas testified to the facts of the case.

Heather Pruchniak testified to the facts of the case.

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

**ITEM 8**

**Michael Yarborough & Deborah Yarborough, SM-2016-05-0175**

Respondents were not present

Diana Johnson stated that this case was 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 of this section and grant 14 days to comply or a fine of \$100.00 per day to begin on the 15<sup>th</sup> day.

File was entered into evidence.

Officer Lisa Douglas testified to the facts of the case.

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

**ITEM 9**

**Kathleen Miceli, SM-2016-02-0252**

Kathleen Miceli was present and sworn.

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", Section 23-99 "Accumulation of Solid Waste Prohibited" and Section 3.06.01 "Purpose and Intent". Staff recommended the Special Magistrate find the Respondent in violation of this section and grant 14 days to comply or a fine of \$100.00 per day to begin on the 15<sup>th</sup> day.

File was entered into evidence.

Officer Lisa Douglas testified to the facts of the case.

Kathleen Miceli testified to the facts of the case and requested additional time to come into compliance.

Special Magistrate Charles D. Johnson accepted staff's recommendation and granted 30 days to come into compliance.

**ITEM 10**

**Walter Glomb & Judy Glomb. SM-2014-03-0143**

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" and Section 23-99 "Accumulation of Solid Waste Prohibited". Staff recommended the Special Magistrate find the Respondents in violation of these sections and grant 14 days to comply or a fine of \$100.00 per day to begin on the 15<sup>th</sup> day.

File was entered into evidence.

Officer Lisa Douglas testified to the facts of the case.

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

**ITEM 11**

**Walter Glomb & Judy Glomb. SM-2013-11-0090**

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", Section 23-98 "Junk" and Section 23-99 "Accumulation of Solid Waste Prohibited". Staff recommended the Special Magistrate find the Respondents in violation of these sections and grant 14 days to comply or a fine of \$100.00 per day to begin on the 15<sup>th</sup> day.

File was entered into evidence.

Officer Lisa Douglas testified to the facts of the case.

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

**ITEM 12**

**Pandevco LLC, 2016-07-0066**

Diana Johnson stated that the County is dismissing its case against Pandevco LLC.

**ITEM 14**

**David B. Wicks, SM-2016-06-0299**

Respondent was not present.

Diana Johnson stated this case is charging the owner with violation of Section 9.04.03(c) "Right-of-Way Provisions" and that the property is now in compliance. Staff recommended the Special Magistrate find the Respondent was in violation of this section and order the Respondent to remain in compliance.

File was entered into evidence.

Terry Scott from Public Works Department was present, sworn and offered testimony.

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

**ITEM 18**

**The Bank of New York Mellon, SM-2016-03-0248**

Respondent was not present.

Diana Johnson stated this case is charging the owner with violation of Section 23-98 "Junk". Staff recommended the Special Magistrate find the Respondent in violation of this section and grant 14 days to comply or a fine of \$50.00 per day to begin on the 15<sup>th</sup> day.

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 19**

**Brian K. Dawson, SM-2016-06-0130**

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 of this section and grant 14 days to comply or a fine of \$50.00 per day to begin on the 15<sup>th</sup> day.

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 20**

**Michael Edward Odom, SM-2016-02-0254**

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 \$50.00 per day to begin on the 15<sup>th</sup> 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 21**

**Mark Beaudoin, SM-2016-03-0326**

Mark Beaudoin was present and sworn.

Diana Johnson stated this case is charging the owner with violation of Section 3.14.01 "Purpose and Intent". Staff recommended the Special Magistrate find the Respondent in violation of this section and grant 14 days to comply or a fine of \$100.00 per day to begin on the 15<sup>th</sup> day.

File was entered into evidence.

Officer Mark shepherd testified to the facts of the case.

Supervisor Dennis Bunt was sworn and offered testimony.

Brian Sheahan, Division Mananger, was sworn and offered testimony.

Mark Beaudoin testified to the facts of the case and requested additional time to come into compliance.

Special Magistrate Charles D. Johnson accepted staff's recommendation and granted 90 days to come into compliance.

**ITEM 23**

**Vito Sacino & Michelle Sacino, SM-2016-06-0329**

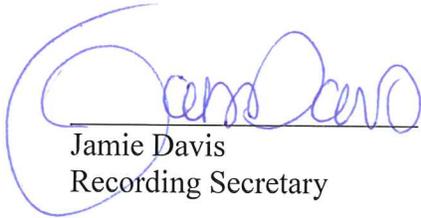
Respondents were not present.

Diana Johnson stated this case is charging the owner with violation of Section 10.01.06 "Home Occupations" and that the property is now in compliance. Staff recommended the Special Magistrate find that the Respondents were in violation of this section and order the Respondents to remain 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.

  
Jamie Davis  
Recording Secretary

Receipt of the minutes as prepared of the September 14, 2016 hearing is acknowledged  
this 15 day of Sept 2016.

  
Charles D. Johnson Special Magistrate