

**TOWN OF WELAKA**  
**CODE ENFORCEMENT BOARD MEETING**  
**June 27, 2023 @ 6:00 P.M.**  
Honorable Willie Washington, Jr. Council Room  
400 4<sup>th</sup> Avenue, Welaka FL 32193

**MINUTES**

1. **CALLED TO ORDER** by Chairman John Harris at 6:04 PM
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALLED** by Town Clerk, Meghan Allmon: Chairman John Harris - present; Robert Turnbull - present; Raymond Roerick - present; William Miller - present, Gary Sands, Jr. - present, Code Enforcement Officer Pauline Kinney - present, Chief of Police Michael Porath - present, and Town Attorney Patrick Kennedy - present.
4. **APPROVAL OF PREVIOUS MINUTES:**
  1. **May 23, 2023, Code Enforcement Board Meeting Minutes.**

Motion made by Roerick to accept the 5/23/23 Meeting Minutes and Seconded by Turnbull.  
Passed 5/0.

Harris - asked for a nomination for a Vice Chair for the Code Board.

Kennedy - the Board must make the motion and Harris cannot make the motion.

Turnbull - pick someone who will be here for the meetings more often, as he is going out of Town for 3 months.

Roerick nominated Gary Sands and Turnbull seconded to make Sands the Vice Chair. All agreed.  
Passed 5/0.

5. **OLD BUSINESS:**

Harris - asked Porath if there's anything to discuss on re-writing the policies.

Porath - said no, not at this time.

6. **NEW BUSINESS:**

1. **Case # CV23-0007 – Reginald Johnson, 800 Palmetto Street, Welaka, FL 32193**

Kinney - said the case is closed. The property is up to code as of yesterday, 6/26/2023.

2. **Case # CV23-0008 - Alfred Johnson, Sr., 809 Palmetto Street, Welaka, FL 32193**

Kinney - sent the Violation Notice out on 1/17/23 and it was signed for on 2/15/23 and signed for by Alfred Johnson, Sr.

Harris - has anything in the yard had been picked up on this case?

Kinney - yes. In between January and June. Verbal conversations were done with the owners and progress was being made but it ceased.

Kinney - an entire dumpster full of metal has been removed from the property. A tree has also fallen on the property and is near the house.

Turnbull - is there a physical disability why the property has not been cleaned?

Kinney - no.

Turnbull - if the cars have registered license plates? Have they been moved on the property?

Kinney - I cannot go on the property to look and no, they have not moved. The property was much worse and her camera's SD card malfunctioned with the initial pictures.  
Kennedy - if the Findings of Fact paperwork looks good, then they can vote on this and it gets recorded and can start the lien and fine process.  
Roerick - is there a lien and fines per day?  
Kennedy - the lien will state the fine per day.  
Turnbull - is he not communicating at all?  
Kinney - no, they have not reached out to her. They are aware of the hearing as they signed for it on 6/5/23.  
Roerick and Harris – they both said that they agree on the findings.  
Kennedy - the lien along with the fine will be \$50 per day after 30 days of non-compliance since this meeting.

Roerick made a motion to accept the Findings of Fact document and Turnbull seconded.  
Roll call taken by Town Clerk. Passed 5/0.

### **3. Case # CV23-0009 -s Elethya Cruz, 510 7<sup>th</sup> Avenue, Welaka, FL 32193**

Kinney - sent the Violation Notice out on January 17, 2023.  
Kinney - house is dilapidated and the photos show the siding and roof are not in good condition. The vegetation is overgrown on the property and along the property lines along with miscellaneous debris on the property. The debris was moved off the property and was placed on the Town's easement. Waste Pro did not pick up the debris. Windows are open at all hours also.  
Harris - were taxes paid on this house?  
Kinney - she could not find any taxes paid recently.  
Kinney - photos were taken before the notice was sent and then the other pics were taken since they cleaned it up. It looks much better now.  
Harris - no communication from the owners?  
Kinney - no.  
Kinney - the certified violation mail was signed for and the hearing was not signed for.  
Turnbull - is there any reason why the property is not taken care of? Any disabilities?  
Kinney - no. Lack of communication and yes, they have the means.

Turnbull made a motion to accept the Finding of Fact document and Miller seconded.  
Roll call taken by Town Clerk. Passed 5/0.

Miller - they have 30 days to come into compliance and then the fines will start? \$50 per day?  
Kinney and Kennedy - correct, yes.  
Turnbull - if they come in with a reasonable excuse, what happens?  
Kennedy - they have to come in and ask for release from the lien and/or reduction of the fine, then the Code Board can make a recommendation to the Town Council for their final decision.  
Kennedy - the Code Board should at least assess the minimum administrative costs. They need to pay since there's recording fees, copies and time spent on each case. This administration fee is on our Fee Schedule. Even if they cleaned up the property, they still must pay the administration fee.  
Roerick - a lot of communities also charge an administrative fee. It's on the top of their invoice.

### **4. Case # CV23-00010 - Darrin W. Anderson, 601 Old Welaka Road, Welaka, FL 32193**

Kinney - sent the Violation Notice out on January 17, 2023. Signed for 2/25/23. Notice of Hearing mailed out 6/3/23 and not signed for.  
Kinney - One of the violations is for violation of a street corner visibility. The hedge is over 6 feet tall and is right next to a stop sign. There's a photo. It must be trimmed for public safety

reasons.

Turnbull - it looks like it's on the right-of-way.

Kinney - by the ORD, it's too close to the intersection and the property has 2 front yards. Since it's an intersection, it has more restrictions regarding hedge height.

Turnbull - any communications?

Kinney - spoke to the owner back in February this year and they have made substantial improvements on the property.

Turnbull - the vehicle lift on the property looks like it's on the right-of-way.

Kinney - the property survey and pins are tricky on the property.

Turnbull - it looks like it's 2 feet from the road.

Kinney - she has to research to see if the vehicle lift is on the easement or not. If the property pin is under the pavement, then it's hard to find and is a problem. She cannot locate the property pins and cannot go onto the private property. Several of the antique cars currently have registered license plates and insurance. All the other vehicles have been moved elsewhere and this is the only one left on the property.

Turnbull - he's made progress on cleaning it up?

Kinney - yes, he's had some setbacks personally and if the property owner was here, he could speak on behalf of the property and progress, but yes, he's making progress.

Kinney - this is considered a habitual case since it's been a case for a very long time, as are the other cases here tonight. Not sure what other property he's moving his thing to, but it's slightly still within the Town limits.

Miller - he is making progress on cleaning up the property tough?

Kinney - yes. This is one of the largest code cases of the Town.

Kinney - everyone has had an adequate amount of time and notices to clean up their properties.

Sands - it's hard to see around the hedges.

Turnbull made a motion to accept the Finding of Facts document and Roerick seconded.

Roll call taken by Town Clerk. Passed 5/0.

### **5. Case # CV23-0011 - Charles A. Flynn, 517 7<sup>th</sup> Avenue, Welaka, FL 32193**

Kinney - sent the Violation Notice out on January 17, 2023. The notice came back in the mail and was not forwarded anywhere. Same thing with the hearing. No signing for it and it was sent back to us with no forwarding address.

Kinney - one of the nicer violation properties and it is un-occupied. Some of the shrubs need tending too and are very overgrown.

Harris - the address is not good since it's been returned?

Kinney - correct. This is the last known property appraisers mailing address.

Turnbull - 2007 looks like the last time anything was filed on the property appraiser's info page Kinney printed.

Kennedy - said that this was a death certificate that was filed and you cannot see them online.

Kennedy - Kinney should post a letter on the property somewhere since both certified mailings were returned. This assures the Town that Kinney made every attempt to contact the property owner.

Miller - then we'll bring it up at the next Code Board meeting?

Sands - should we table this until next month then?

Kennedy - we should at least try to post a letter and re-notice the owners.

Miller made a motion and Sands seconded to re-notice the property owners with a letter on the property. This case will be on the July Code Board Meeting agenda to re-visit.

Turnbull - can Kinney provide a little map of the property in the Agenda Packets for the future

meetings?  
Kinney - yes.

**7. REQUEST TO SPEAK:** None.

**8. PUBLIC COMMENT:**

**Reginald Turner - 633 Oak Street, Welaka, FL 32193** - registration and proof of purchase doesn't mean anything for a cargo trailer? He bought a trailer for \$6,000 and didn't know if it must be tagged while on his property. He doesn't use it.

Porath - yes, any vehicles need to be tagged. It falls under the ORD. Any vehicle on the property needs to be tagged and insured.

Kennedy - we cannot try this case as a violation. It is not a case and we have no knowledge of it.

Reggie - seems like to Town is overwriting the FL Statutes.

Kennedy - please speak to Kinney after the meeting.

Speaker - he works all over Town and asked if certain people are being singled out for violations?

Harris - the Code Board is just starting up to address the code violations in the Town.

Porath - we do not drive around looking for code violations, you must make a code violation complaint to Kinney and it's not anonymous anymore.

Reggie - LLC, insurance and all are needed?

Porath - it's not a code violation case until we receive a complaint.

Miller - does a trailer fall under motor vehicle in the ORD?

Porath - this case has not gone before the Code Board as an active case, so he will have to look at the ORD and state statute.

Kennedy - typically the ORD/statute reads as road-worthy vehicles/trailers need a tag but we have to review the Welaka ORD to see if it's a violation not having tag.

**9. ADJOURNED:** 6:48 PM