

SEPTEMBER 13, 2011 – WORKSHOP

The Board of County Commissioners, Walton County, Florida, held a Workshop on September 13, 2011 at 3:00 p.m. at the Walton County Courthouse Annex in Santa Rosa Beach, Florida, to discuss Code Enforcement Board meetings and procedures.

The following Board members were present: Commissioner Larry Jones, Chair; Commissioner Scott Brannon, Vice-Chair; Commissioner Kenneth Pridgen; Commissioner C. Jones; and Commissioner Sara Comander. Mr. Gregory Kisela, County Administrator; and Attorney Lynn Hoshihara, County Attorney; were also present.

Chairman L. Jones called the meeting to order. He stated that this workshop is to consider possible changes to the Code Enforcement Board (CEB) meetings and procedures.

Mr. Gregory Kisela, County Administrator, briefly discussed the issues presented at the August 9, 2011 Workshop. He reported that Florida Statute allows for hybrid proceedings to be utilized for code enforcement violation cases. The hybrid process involves code violation hearings to be distributed between the CEB and a special magistrate. He stated that an ordinance could be drafted to establish the hearing procedures, and the fines updated according to Florida Statutes.

Commissioner Comander stated that she wanted to see the improvements that Mr. Jerry Miller, CEB Attorney, would make.

Chairman L. Jones stated that the CEB Officers' authority and resources should also be addressed. Commissioner Comander stated that clarifying the Land Development Code (LDC) is necessary in providing clear definitions and directives to the CEB officers. Discussion ensued regarding sign violations.

Commissioner Brannon discussed the ineffective fine collection. Commissioner Pridgen stated that the amount of the fines will be determined according to the violation. He briefly discussed the hybrid process, and felt that it would be beneficial to the county. Commissioner C. Jones agreed and suggested easing into the new process. Commissioner Comander felt that proper training should also be given to the CEB.

Chairman L. Jones directed staff to move forward with drafting the hybrid ordinance, meet with CEB Officers to discuss current issues, and begin the process of clearing up the LDC language. Discussion ensued regarding the LDC, and possible changes.

Mr. David Kramer, former CEB member, spoke in favor of the hybrid system. He suggested allowing the violators to decide whether the case would be heard before the CEB or the special magistrate. Mr. Kisela stated that the hybrid methods reviewed by staff did not allow for choice. There was a predetermination of which types of cases were heard by each entity. Discussion continued on the determination of which cases would be heard by the CEB or a special magistrate.

Mr. Tom Stein, CEB Vice-Chairman, spoke against the change to a hybrid process. He reported that the CEB feels that they are being required to make policy. He requested that the CEB not be disbanded. Commissioner Brannon stated that the CEB would not be disbanded.

Commissioner Comander discussed the cancellation of recent CEB meetings and asked that Attorney Lynn Hoshihara, County Attorney, research the statute regarding meeting requirements. Attorney Hoshihara stated that meeting requirements were LDC policies rather than Statute.

Ms. Mary Neilson discussed the CEB meeting schedule and felt that meetings which have no agenda items should be used for in-service education. She also questioned the number of

uncollected fines. Mr. Kisela addressed the frequency of the meetings and the uncollected fines. He reported that there is approximately \$900,000 in outstanding fines. There are many fines that are associated with properties which are in foreclosure.

Mr. Bob Sullivan discussed current code cases and felt that there should be a citation system enforced. Commissioner Comander agreed and felt that a more strict enforcement should be enacted.

Ms. Sandy Luchtefeld asked if it would be beneficial to have CEB officers under both the Sheriff and the CEB. Commissioner Comander stated that there is currently one Code Enforcement Officer with the Sheriff's department.

There being no further items to discuss, the meeting adjourned at 3:31 p.m.

Larry Jones, Chairman

Martha Ingle, Clerk of Courts