

**ROCKLEDGE CODE ENFORCEMENT BOARD  
MEETING MINUTES**

**Thursday, April 14, 2022 - 4:30 p.m.**

1. CALL TO ORDER/ROLL CALL

The Rockledge Code Enforcement Board met on April 14, 2022, at 4:30 p.m. in the City Council Chamber at Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida.

MEMBERS PRESENT: Martha Rich, Chairwoman  
Mark O'Donnell, Vice Chairman  
Jeffrey Fee  
Franklin Holder  
Kelly Wentworth  
Ty Buterbaugh

STAFF PRESENT: Joseph Miniclier, Code Enforcement Board Attorney  
John Cooper, Planning Director  
Deanna Pomichter, Code Enforcement Officer  
Tricia Olsson, Recording Secretary

With a quorum present, the meeting was called to order by Chairwoman Martha Rich.

2. SALUTE TO THE FLAG AND PLEDGE OF ALLEGIANCE

- o A salute was given to the flag, and the Pledge of Allegiance was recited in unison.

3. APPROVAL OF MINUTES AND ATTENDANCE RECORD

A. Regular Meeting on March 10, 2022

**Jeffrey Fee moved to approve the minutes and attendance record from the regular meeting on March 10, 2022; seconded by Mark O'Donnell. The motion passed unanimously.**

4. UNFINISHED BUSINESS

A. ECE21-0352 – Donald Fain and Georgiana Martin-Fain – 913 Brunswick Place, Rockledge, FL 32955 – Junk/Debris in carport – (Tabled March 10, 2022)

Code Enforcement Officer Pomichter advised the case was tabled on March 10, 2022 and requested the Board make a motion to remove ECE21-0352 from the table.

**Mark O'Donnell moved to remove item ECE21-0352 from the table; seconded by Jeffrey Fee. The motion carried unanimously.**

Code Enforcement Officer Pomichter was sworn in by Attorney Miniclier. She then provided background information on the status of the case, stating the violation is under Sections 13 – 14 and Section 57.43 – Accumulation of Junk/Debris. Staff confirmed the violation on the initial investigation in July

2021, and several more investigations conducted showed no change to the junk/debris in the carport. Code Enforcement Officer Pomichter reported the last communication with the homeowner was in December 2021, no further communication has occurred, and the property was still in violation. A photo from April 14, 2022 was provided which showed the current state of the property with junk/debris in the carport.

Staff requested that the applicant be given 30 days to remove items from the carport and properly store the items, and if no action is taken after 30 days, a fine could be assessed in the amount of \$25.00 per day, with an increase of \$25.00 a day every month until the property is in compliance.

During open discussion, Code Enforcement Board Attorney Miniclier noted that the applicant received notice of the hearing; however, the applicant did not appear and the violation is uncontested. Code Enforcement Board Attorney Miniclier further explained that the Board is permitted to start the fine earlier by majority vote and does not have to give the applicant a 30-day extension. Code Enforcement Officer Pomichter explained that her transition into the role of Code Enforcement Officer and the hardship of the property owner caused the delay in action to this case. A hearing was scheduled when the property owner did not show any effort to bring the property into compliance.

**Mark O'Donnell moved that a violation exists of Junk/Debris in carport on the subject property, which is a violation of the Rockledge Code of Ordinances when the Notice of Violation was sent; seconded by Jeffrey Fee. The motion passed unanimously.**

**Mark O'Donnell made a motion that the property in question is in violation of Sections 13 – 14 and Section 57.43 of the Rockledge Code of Ordinances with Junk/Debris in carport; seconded by Kelly Wentworth. The motion carried unanimously.**

**Mark O'Donnell moved for the property to come into compliance with Sections 13 – 14 and Section 57.43 immediately, or a fine of \$25.00 per day will accrue every day for 30 days and increase by an additional \$25.00 per day every month until the property is in compliance; seconded by Jeffrey Fee. The motion carried without objection.**

Chairwoman Martha Rich subsequently read the Order.

## 5. NEW BUSINESS

### A. Report of all open Code Enforcement Cases for the City of Rockledge

Code Enforcement Officer Pomichter advised the Board that she will begin to provide an update of open cases on a quarterly basis. Staff provided information related to currently open cases and provided clarification on Board responsibilities. Code Enforcement Board Attorney Miniclier reiterated what types of legal consequences can be placed upon certain properties with code violations.

6. ADJOURN

There being no further business, the meeting was adjourned at 4:45 p.m.

Submitted by:

Tricia T. Olsson  
Recording Secretary

Approved by:

Martha Rich  
Chairwoman