



DeSoto County

Special Masters

Meeting Minutes - Final

Thursday, May 22, 2025

11:00 AM

Board Meeting Room

CALL TO ORDER

Mr. Robert Berntsson, Special Master for DeSoto County, gave an opening statement regarding the process governing the hearing and the rules of conduct for the Special Master Hearing. Ms. Valerie Vicente, DeSoto County Special Masters Attorney was present. Special Master - Robert Berntsson called the meeting to order at 11:00 am

SWEARING IN OF ALL THOSE GIVING TESTIMONY

CASES

Benjamin Joel Adams & Karen Nicole Adams & Donald Padgett ETAL

Attachments: [ADAMS BENJAMIN JOEL & ADAMS KAREN NICOLE & PADGETT DONALD ET AL, CE-0403](#)

Valerie Vicente, (DeSoto County Attorney), presented the County's evidentiary documents into the record for the property located at 7269 NE Cubitis Ave, The property owner was represented by Steven Southwell PA. Tommy Turnbull (Code Enforcement Officer), testified regarding prohibited A-10 and Certificate of Use. Mr. Turnbull confirmed his first visit to the property was on May 4, 2024, the last visit to the property occurred on May 21, 2025, and the property was still in violation. Valerie Vicente, (DeSoto County Attorney), questioned Mr. Turnbull in regards to A-10 zoning and its conditions, also questioned how the property owner was violating the A-10 zoning, which Mr. Turnbull stated they were using the property to manufacture cabinets. Mr. Southwell stated that his clients are in the process of filing a rezoning application but it is a lengthy process, he requested to be granted a stay of code enforcement provisions due to pending applications. Ms. Vicente called Jorge Hernandez, Code Compliance Director for DeSoto County stated that the owners have been in violations for many years. There was discussion on what would be an appropriate amount of time for the property owners to come into compliance. There was further discussion in regards to enforcement actions after the 6 months if no progress is being made. Mr. Berntsson, (Special Master) found the property was in violation and issued the following Orders: Case costs of \$134.02 were ordered to be paid within 30 days. The property owners were instructed to come into compliance within 6 month of the order and a cease and desist Order was issued for a period of two years. In the event of non-compliance, a fine up to \$250 per day per violation would be imposed.

This Case was Found to be in Violation.

Ebifanio Alvarez

Attachments: [ALVAREZ EBIFANIO, CE 24-0057](#)

This Case was Continued.

Patricia Schudel & Glenn Schudel

Attachments: [SCHUDEL PATRICIA M & SCHUDEL GLENN F JTROS, CE 25-0035](#)

This Case was Continued.

Jose Angel Martinez Zea

Attachments: [ZEa JOSE ANGEL MARTINEZ, CE 25-0072](#)

This case was withdrawn

Joyce Nickel

Attachments: [NICKEL JOYCE, CE 24-0927](#)

Valerie Vicente, (County Attorney), presented the County's evidentiary documents into the record concerning the property located at 1645 SE Cherry Dr. owned by Joyce Nickel. Tommy Turnbull (Code Enforcement Officer), testified regarding unauthorized dumping/ accumulation & refuse and debris. Mr. Turnbull stated the first time he visited the property was November 5, 2024 at that time there was an accumulation of debris. the last visit was May 21, 2025, the property remains in violation. The property owner was present, she stated that she is a disabled widow and she sometimes scraps metal to make ends meet , and the property has been cleaned as of this morning. Mr. Berntsson, (Special Master) found the property was in violation and issued the following orders: Case costs of \$25.43 were ordered to be paid within 30 days. The property owners were instructed to come into compliance within 30 days of the order and a cease and desist Order was issued for a period of two years. In the event of non-compliance, a fine up to \$250 per day per violation would be imposed.

This Case was Found to be in Violation.

Barbara Silvera & Ruby James ET AL TIC

Attachments: [SILVERA BARBARA & JAMES RUBY ET AL TIC, CE 24-1031](#)

Valerie Vicente, (DeSoto County Attorney), presented the County's evidentiary documents into the record for the property located at 1028 SW Spring Ave, the property owner Barbara Silera and Ruby James ET AL TIC . Tommy Turnbull (Code Enforcement Officer), testified regarding parking and storage of vehicles and trailers and unauthorized dumping and accumulation of prohibited. Mr. Turnbull confirmed his first visit to the property was on December 13, 2024. The last visit to the property occurred on May 21, 2025, and the property was still in violation. The property owner was not present. Mr. Robert Berntsson, (Special Master) found the property was in violation and issued the following orders: A case cost of 23.03 to be paid within 15 days. The property owners were instructed to come

into compliance within 15 days of his order and a cease and desist order was issued for a period of two years, prohibiting any future violations related to this property. In the event of non-compliance, a fine of up to \$250 per day per violation would be imposed.

This Case was Found to be in Violation.

James A Jones

Attachments: [JONES JAMES A, CE 24-1032](#)

Valerie Vicente, (DeSoto County Attorney), presented the County's evidentiary documents into the record for the property located at 1036 SW Spring Ave, the property owner James Jones. Tommy Turnbull (Code Enforcement Officer), testified regarding parking and storage of certain vehicles and trailers and unauthorized dumping and accumulation of prohibited. Mr. Turnbull confirmed his first visit to the property was on December 13, 2024. The last visit to the property occurred on May 21, 2025, and the property was still in violation. The property owner was not present. Mr. Robert Berntsson, (Special Master) found the property was in violation and issued the following orders: A case cost of 23.03 to be paid within 15 days. The property owners were instructed to come into compliance within 15 days of his order and a cease and desist order was issued for a period of two years, prohibiting any future violations related to this property. In the event of non-compliance, a fine of up to \$250 per day per violation would be imposed.

This Case was Found to be in Violation.

Kelvyn Martinez

Attachments: [MARTINEZ KELVYN, CE24-0895](#)

Janie Castillo

Attachments: [JANIE CASTILLO, CE 24-0441](#)

This case has been withdrawn.

Blackwolf Holdings LLC

Attachments: [BLACKWOLF HOLDINGS LLC 11338, CE 25-0157](#)

Valerie Vicente, (County Attorney), presented the County's evidentiary documents into the record concerning the property located at 11338 SW Primrose Dr. Owned by Black Wolf Holdings LLC/Steve Game. Sharon Gray, (Code Enforcement Officer), testified regarding overgrown grass. Ms. Gray confirmed her first visit to the property was on February 24, 2025 during which she found the property to be overgrown. The last visit to the property occurred on May 21, 2025 and the property remains not in compliance. Robert Tardif, Chapter 7 Bank Trustee was present at the hearing. He stated he is working with a landscaper to have the properties mowed, he is requesting a stay until August due to another property that he has to file a lien reduction/release. He stated he is trying to sell these properties under Chapter 7. He will in the meantime have the properties mowed to come into compliance. Mr. Robert Berntsson, (Special Master) found

the property was in violation and issued the following orders: Case costs of 46.51 were ordered to be paid within 30 days. The property owners were instructed to come into compliance within 90 days of his Order and a cease and desist Order was issued for a period of two years, prohibiting any future violations related to this property. In the event of non-compliance, a fine up to \$250 per day per violation would be imposed.

This Case was Found to be in Violation.

Black Wolf Holdings LLC

Attachments: [BLACK WOLF HOLDINGS LLC 11350, CE25-0158](#)

Valerie Vicente, (County Attorney), presented the County's evidentiary documents into the record concerning the property located at 11350 SW Primrose Dr. Owned by Black Wolf Holdings LLC/Steve Game. Sharon Gray, (Code Enforcement Officer), testified regarding overgrown grass. Ms. Gray confirmed her first visit to the property was on February 24, 2025 during which she found the property to be overgrown . The last visit to the property occurred on May 21, 2025 and the property remains not in compliance. Robert Tardif, Chapter 7 Bank Trustee was present at the hearing. He stated he is working with a landscaper to have the properties mowed, he is requesting a stay until August due to another property that he has to file a lien reduction/release. He stated he is trying to sell these properties under Chapter 7. He will in the meantime have the properties mowed to come into compliance. Mr. Robert Berntsson, (Special Master) found the property was in violation and issued the following orders: Case costs of 46.21 were ordered to be paid within 30 days. The property owners were instructed to come into compliance within 90 days of his Order and a cease and desist Order was issued for a period of two years, prohibiting any future violations related to this property. In the event of non-compliance, a fine up to \$250 per day per violation would be imposed.

This Case was Found to be in Violation.

Black Wolf Holdings LLC

Attachments: [BLACK WOLF HOLDINGS LLC 11374, CE 25-0159](#)

Valerie Vicente, (County Attorney), presented the County's evidentiary documents into the record concerning the property located at 11374 SW Primrose Dr. Owned by Black Wolf Holdings LLC/Steve Game. Sharon Gray, (Code Enforcement Officer), testified regarding overgrown grass. Ms. Gray confirmed her first visit to the property was on February 24, 2025 during which she found the property to be overgrown . The last visit to the property occurred on May 21, 2025 and the property remains not in compliance. Robert Tardif, Chapter 7 Bank Trustee was present at the hearing. He stated he is working with a landscaper to have the properties mowed, he is requesting a stay until August due to another property that he has to file a lien reduction/release. He stated he is trying to sell these properties under Chapter 7. He will in the meantime have the properties mowed to come into compliance. Mr. Robert Berntsson, (Special Master) found the property was in violation and issued the following orders: Case costs of 46.36

were ordered to be paid within 30 days. The property owners were instructed to come into compliance within 90 days of his Order and a cease and desist Order was issued for a period of two years, prohibiting any future violations related to this property. In the event of non-compliance, a fine up to \$250 per day per violation would be imposed.

This Case was Found to be in Violation.

Blackwolf Holdings LLC

Attachments: [BLACKWOLF HOLDINGS LLC 11394, CE 25-0161](#)

Valerie Vicente, (County Attorney), presented the County's evidentiary documents into the record concerning the property located at 11394 SW Primrose Dr. Owned by Black Wolf Holdings LLC/Steve Game. Sharon Gray, (Code Enforcement Officer), testified regarding overgrown grass. Ms. Gray confirmed her first visit to the property was on February 24, 2025 during which she found the property to be overgrown . The last visit to the property occurred on May 21, 2025 and the property remains not in compliance. Robert Tardif, Chapter 7 Bank Trustee was present at the hearing. He stated he is working with a landscaper to have the properties mowed, he is requesting a stay until August due to another property that he has to file a lien reduction/release. He stated he is trying to sell these properties under Chapter 7. He will in the meantime have the properties mowed to come into compliance. Mr. Robert Berntsson, (Special Master) found the property was in violation and issued the following orders: Case costs of 46.81 were ordered to be paid within 30 days. The property owners were instructed to come into compliance within 90 days of his Order and a cease and desist Order was issued for a period of two years, prohibiting any future violations related to this property. In the event of non-compliance, a fine up to \$250 per day per violation would be imposed.

This Case was Found to be in Violation.

Billie Jo Nieto & Randy Underwood

Attachments: [BILLIE JO NIETO & RANDY UNDERWOOD, CE 24-1049](#)

Valerie Vicente, (County Attorney), presented the County's evidentiary documents into the record concerning the property located at 1980 SE Tangelo Dr. Owned by Billie Jo Nieto and Randy Underwood. Sharon Gray, (Code Enforcement Officer), testified regarding overgrown grass and unauthorized dumping and accumulation prohibited. Ms. Gray confirmed her first visit to the property was on December 16, 2024 during which she found the property to be overgrown . The last visit to the property occurred on May 21, 2025 and the property remains not in compliance. Salina Alvaros daughter of Billie Jo Nieto was present on behalf of her mother who has since passed away. She stated that the property is in probate and she has not had any communication with Mr. Randy Underwood. Mr. Robert Berntsson, (Special Master) found the property was in violation and issued the following orders: Case costs of 24.08 were ordered to be paid within 30 days. The property owners were instructed to come

into compliance within 30 days of her Order and a cease and desist Order was issued for a period of two years, prohibiting any future violations related to this property. In the event of non-compliance, a fine up to \$250 per day per violation would be imposed.

This Case was Found to be in Violation.

Ryan Alexander Lee

Attachments: [RYAN ALEXANDER LEE, CE 24-0878](#)

Case Withdrawn

Rock Wise LLC

Attachments: [ROCK WISE LLC, CE 25-0084](#)

Valerie Vicente, (County Attorney), presented the County's evidentiary documents into the record concerning the property located at 2789 SE HWY 31 Owned by Rock Wise/ Mark Mullins. Sharon Gray, (Code Enforcement Officer), testified regarding development permit required and prohibited CE. Ms. Gray confirmed her first visit to the property was on January 24, 2025 during which she found the property was still in violation. Ms. Gray stated the owner Rock Wise/ Mark Mullins started a landscape business without a approved development plan and are still in operation. Ms. Vicente then called Laura McClelland, Planner I from Planning and Zoning who confirmed that the owner does currently have an approved development plan for approved retail sales. However they did not have an approved development/ improvement plan under county code when they built and opened for business. The improvement plan has not yet been approved it is still undergoing reviewed with the DRC. There was discussion as to the length of the approval process. Ronald Hays, of Hay Engineering LLC was present on behalf of the property owner, stated they are in the final review process for the improvement plan. Mr. Robert Berntsson, (Special Master) found the property was in violation and issued the following orders: Case costs of 94.22 were ordered to be paid within 30 days. The property owners were instructed to come into compliance within 30 days of his Order and a cease and desist Order was issued for a period of two years, prohibiting any future violations related to this property. In the event of non-compliance, a fine up to \$250 per day per violation would be imposed.

This Case was Found to be in Violation.

Arcadia Village Development Co.

Attachments: [ARCADIA VILLAGE DEV COMPANY, CE 25-0118](#)

Joseph Minore

Attachments: [Minore Joseph, CE-25-0256](#)

Valerie Vicente, (County Attorney), presented the County's evidentiary documents into the record concerning the property located at 5587 NE River Ridge owned by Joseph Minore. Emanuel Barajas, (Code Enforcement Officer),

testified regarding primitive tent camping for recreation. Mr. Barajas confirmed his first visit to the property was on March 27, 2025 during which he found the property to be still on violation. The last visit to the property occurred on May 21, 2025 and the property remains not in compliance. Mr. Barajas also stated there is a website "Area 61" promoting the camping site. Mr. Minore was present at the hearing. He gave a description of his camp site, he stated he is working to have the area rezoned to allow for camping, he would like to keep his website up while he is working with the county. Valerie Vicente, (County Attorney) stated active advertising would be considered as still operating a business and would be a violation per the County. Mr. Robert Berntsson, (Special Master) found the property was in violation and issued the following orders: Case costs of 23.48 were ordered to be paid within 30 days. The property owners were instructed to come into compliance within 30 days of his Order and a cease and desist Order was issued for a period of two years, prohibiting any future violations related to this property. In the event of non-compliance, a fine up to \$250 per day per violation would be imposed.

This Case was Found to be in Violation.

Randy Rafael Rodriguez

Attachments: [RODRIGUEZ RANDY RAFAEL, CE 24-1066](#)

Valerie Vicente, (DeSoto County Attorney), presented the County's evidentiary documents into the record for the property located at 2980 NE Brownsville St, the property owner Randy Rafael Rodriuez. Tommy Turnbull (Code Enforcement Officer), development permit required. Mr. Turnbull confirmed his first visit to the property was on December 20, 2024. The last visit to the property occurred on May 21, 2025, and the property was still in violation. The property owner was not present. Mr. Robert Berntsson, (Special Master) found the property was in violation and issued the following orders: A case cost of 23.03 to be paid within 15 days. The property owners were instructed to come into compliance within 15 days of his order and a cease and desist order was issued for a period of two years, prohibiting any future violations related to this property. In the event of non-compliance, a fine of up to \$250 per day per violation would be imposed.

This Case was Found to be in Violation.

Dale A. & Rosita M. Barghausen

Attachments: [BARGHAUSEN DALE A & ROSITA M, CE 25-0152](#)

Valerie Vicente, (County Attorney), presented the County's evidentiary documents into the record concerning the property located at 8625 SW Horse Creek RD. Owned by Dale A. & Rosita M. Barghausen. Sharon Gray, (Code Enforcement Officer), testified regarding development without permit, expired permit. Property owner Dale Barghausen was present. Ms. Gray confirmed her first visit to the property was on March 6, 2025. The last property visit was May 21, 2025 she found the property still in violation. The electrical permit has not been renewed. Mr. Barghausen stated he did pull an electrical permit to run

power to an existing outhouse on the property, however he never started or completed the project. He did admit to receiving a letter to renew or cancel the permit but failed to do so. Mr. Robert Berntsson, (Special Master) found the property was in violation and issued the following Orders: Case costs of \$23.18 were Ordered to be paid within 30 days. The property owners were instructed to come into compliance within 30 days of his Order and a cease and desist Order was issued for a period of two years, prohibiting any future violations related to this property. In the event of non-compliance, a fine up to \$250 per day per violation would be imposed.

This Case was Found to be in Violation.

Hector Barajas

Attachments: [BARAJAS, HECTOR, CE 25-0503](#)

There was discussion in regards to the expired permit, however due to pending litigation between the owner Hector Barajas and the pending purchaser Pete and Dora Cuz the permit was placed on a hold. Mr. Robert Berntsson recommended the case be continued. All were in agreement.

This Case was Continued.

John William Buckner

Attachments: [JOHN WILLIAM BUCKNER, 24-0654](#)

Valerie Vicente, (DeSoto County Attorney), presented the County's evidentiary documents into the record for the property located at 1123 SE Fifth Ave, the property owner John William Buckner. Sharon Gray (Code Enforcement Officer), testified regarding unauthorized dumping and accumulation of prohibited, Prohibited RMF-M, Refuse and debris, overgrown grass, farm animals 4H/ FFA , prohibited CE, and parking and storage of certain vehicles and trailers. Ms. Gray confirmed her first visit to the property was on July 19, 2024. The last visit to the property occurred on May 21, 2025, and the property was still in violation. The property owner was not present. Mr. Robert Berntsson, (Special Master) found the property was in violation and issued the following orders: A case cost of 33.08 to be paid within 15 days. The property owners were instructed to come into compliance within 15 days of his order and a cease and desist order was issued for a period of two years, prohibiting any future violations related to this property. In the event of non-compliance, a fine of up to \$250 per day per violation would be imposed.

This Case was Found to be in Violation.

LIEN HEARING

American Holding Company LLC

Attachments: [AMERICAN HOLDING CO LLC, CE 2023-057 & CE 20-0186](#)

Valerie Vicente, (DeSoto County Attorney), presented the County's evidentiary

documents into the record for the property located at NW HWY 17. The property owner American Holding CO. LLC. Tommy Turnbull (Code Enforcement Officer),

was sworn in and testified regarding the standing previous Order of development permit required and unpaid case costs. Prior Special Masters Order was ordered was to be corrected by December 25, 2023. This case has been 44 days out of compliance. The property owner was not present. Mr. Robert Berntsson, (Special Master) stated based upon the testimony and evidence presented confirmed that violations had occurred and issued the following orders: Fines for 44 days at \$250.00 per day, Case costs of \$29.62 making the amount of \$11,029.22. A recorded Lien will be placed within 30 days if the fines and costs remain unpaid. A cease-and-desist Order was issued for a period of 2 years regarding any future violations.

This Lien Hearing was Found to be in Violation.

LIEN REDUCTION/RELEASE

Christina Pike

Attachments: [PIKE CHRISTINA, CE 2023-012 & CE 23-0093](#)

Tommy Turnbull (Code Enforcement Officer), stated he spoke to the mortgage company that owns the property they requested the case be done as a zoom call, however there are no means to be able to hold a zoom call during this proceeding, he stated that they are willing to pay the previous case cost of \$ 230.00 and current case cost of \$228.45 for release of lien in their absence. Valerie Vicente, (County Attorney), stated since they are willing to pay case cost without being present as told to Mr. Turnbull is should be granted to proceed. Mr. Robert Berntsson, (Special Master), ordered case cost of \$458.81 be paid within 30 days, then all liens and interests be forgiven and brought to zero.

Lorne & Elizabeth A Phillips

Attachments: [PHILLIPS LORNE & ELIZABETH & BARRY JOHN & NAPLE MARIE, CE 2010-014 & 14-0492](#)

Mr. John Barry and Ms. Marie Naple the new property owners stated they have cleaned up the property when they bought the property however the lien was not disclosed at the closing. They are seeking a lien reduction due to bringing the property into compliance. Tommy Turnbull (Code Enforcement Officer), stated the new owners have brought the property and bring it into compliance. Mr. Turnbull stated the County is requesting costs be paid as follows: case costs \$219.38 and case cost \$210.69 for a total cost of \$430.07. Mr. Robert Berntsson, (Special Master), ordered case cost of \$430.07 be paid within 30 days, then all liens and interests be forgiven and brought to zero.

Rolando Mar

Attachments: [MAR ROLANDO, CE 2015-058 & CE 15-0369](#)

This Lien Reduction was Continued.

ADJOURNMENT

Being no further business, Special Master, Robert Berntsson adjourned the Hearing at 12:34pm
ATTEST: APPROVED:

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Marilyn Padilla
TRANSCRIBING SECRETARY

Robert Berntsson
SPECIAL MASTER

NOTE: If any person desires to appeal any decision with respect to any matter considered at these meetings, such person may need a record of the proceedings; for this purpose, such person may need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based. Cc: Special Magistrate, County Attorney, Code Enforcement Department and Transcription Secretary.