

Nassau County Code Enforcement Board
January 11, 2022, 6:30 P.M.
Commission Chambers, 96135 Nassau Place, Yulee, Florida

Call to Order, Invocation, and Pledge of Allegiance to the American Flag

Board Members:

Present: Chair Stephanie Estep, Sarah Bell, Christine Connery, Cathy Gladden, and Jonathan Petree.

Absent Board Member(s): Mimi Vitale and Joan Knutson.

Other Officials Present: Denise May, Assistant County Attorney.

Staff Present: Janet Wylie, Code Enforcement Administrative Coordinator; and Melissa Lucey and Heather Nazworth, Deputy Clerks.

Official Agenda Summary:

Audience Input:

220111CE - 6:31:56 Ms. May reviewed the procedures for attending the meeting in person and remotely.

APPROVAL OF MINUTES:

220111CE - 6:33:03 Approve the minutes from the December 14, 2021 regular meeting.

Motion: Approve minutes from the December 14, 2021 meeting as presented.

Maker: Board Member Connery

Second: Board Member Bell

Action: Aye: Board Members Estep, Connery, Petree, Gladden, and Bell

Absent: Board Members Vitale and Knutson

QUASI-JUDICIAL PUBLIC HEARING(S):

220111CE - 6:33:44 Ms. May read the Quasi-Judicial procedures applicable for Cases 13-738 and 22-6763.

Board Member Ex-parte Disclosure:

All Board Members disclosed they had no ex-parte communications for Cases 13-738 and 22-6763.

211012CE - 6:39:43 Documents submitted into the record: PowerPoint presentation for January 11, 2022 - 18 pages; Case 13-738 included agenda dated January 8, 2013 - 1 page, minutes from regular meeting of January 8, 2013 - 2 pages, case history - 4 pages and reduction of Code Enforcement Lien application - 6 pages; and Case 18-3494 included the current case history - 1 page, and Code Enforcement Board Case 18-3494 history - 2 pages.

Motion: Accept documents into the record as identified above for Cases 13-738 and 22-6763.

Maker: Board Member Petree

Second: Board Member Bell

Action: Aye: Board Members Estep, Connery, Petree, Gladden, and Bell

Absent: Board Members Vitale and Knutson

Motion: Open the floor for public discussion for Cases 13-738 and 22-6763.

Maker: Board Member Gladden

Second: Board Member Connery

Action: Aye: Board Members Estep, Connery, Petree, Gladden, and Bell

Absent: Board Members Vitale and Knutson

Ms. Wylie swore in Code Enforcement Officer Robert Bostick to provide testimony.

OLD BUSINESS

220111CE - 6:42:16 Case No. 13-738, Nathaniel O. Mabry, Jr., now known as Nathaniel O. Mabry Estate, requested a penalty reduction. The property is located at 54291 Marlee Road in Callahan, Florida.

Discussion: Officer Bostick came forward to provide a PowerPoint Presentation. He stated that the property was in violation of Ordinance 2003-17, Section 6.01 and 6.03 on February 12, 2013. He noted that the administrative fees were \$286.28 were to be paid by February 12, 2013, and came into compliance on June 7, 2021, leaving the outstanding administrative fees at \$151,886.28. The respondent's family

had requested for a reduction of the penalty in order to settle the estate. Staff is requesting for a recommendation to the Board of County Commissioners to reduce the lien amount to the administrative fees of \$286.28.

Ms. Wylie swore in Nathaniel Mabry, Sr. and Shawn Mabry to provide testimony.

Public input: Shawn Mabry stated that his brother passed away in April 2021. They became aware of the situation after he passed, including that the property tax was in arrears and the lien for this violation. The property is now in compliance, and they wish to get the fines handled.

Ms. Wylie indicated that Mr. Mabry contacted the Code Enforcement Department on June 2, 2021, and provided documentation that the property came into compliance on that date; however, the Code Enforcement Department could not get a Code Enforcement Officer out to the property until June 7, 2021. She clarified that the fines stopped accumulating on June 2, 2021.

Motion: Close the floor to public discussion.

Maker: Board Member Bell

Second: Board Member Gladden

Action: Aye: Board Members Estep, Connery, Petree, Gladden, and Bell

Absent: Board Members Vitale and Knutson

Motion: Approve recommendation to the Board of County Commissioners to release the total amount of the lien on the property in the amount of \$151,600.00; however, the administrative fees in the amount of \$286.28 would be assessed to cover the administrative cost incurred in prosecuting this case.

Maker: Board Member Gladden

Second: Board Member Connery

Action: Aye: Board Members Estep, Connery, Petree, Gladden, and Bell

Absent: Board Members Vitale and Knutson

NEW BUSINESS

220111CE - 6:53:53 Case No. 22-6763, Lora L. Oliver and Jimmy W. Oliver for violation of Ordinance 2015-10, Section 6.01(3), general nuisances affecting public health. The

property is located at 95280 Clearwater Road in Fernandina Beach, Florida.

Discussion: Officer Bostick provided a PowerPoint presentation. He stated the property owners are in violation of Ordinance 2015-10, Section 6.01(3), General Nuisances affecting Public Health. He referenced pictures of the property depicting the general nuisance. He stated that the initial site inspection was on September 28, 2021. The Notice of Hearing was posted and mailed first-class on October 22, 2021. The property was re-inspected on December 28, 2021, with pictures depicting that the property was still in non-compliance. Officer Bostick stated that Mr. Oliver had placed a dumpster on the property in an attempt to clean the property; however, there are parties present that currently occupies the property but refusing to leave. He advised that the administrative fees are \$345.48 and reviewed photographs of the property from his re-visit on January 11, 2022. Staff recommends a motion that the property is in violation and to impose a fine with a beginning date and continuing until the violations are brought into compliance, including assessing administrative fees of \$345.48 to be paid by a certain date.

Ms. Wylie swore in Jimmy Oliver to provide testimony.

Public input: Mr. Oliver came forward and informed the Board that he had hired an attorney to remove the parties from the property, which will allow him the opportunity to bring the property in compliance. He clarified that he is divorced from Ms. Oliver, but the property was left in his name when she passed. He provided documentation regarding the filing of the eviction case.

A brief discussion ensued regarding the current tenants and the eviction process.

Motion: Accept documents into the record as provided by Mr. Oliver regarding the eviction case (2021-CC-415).

Maker: Board Member Connery

Second: Board Member Gladden

Action: Aye: Board Members Estep, Connery, Petree, Gladden, and Bell

Absent: Board Members Vitale and Knutson

Officer Bostwick provided the language in the evidence submitted regarding the eviction, noting that the occupants must leave by December 1, 2021.

Motion: Close the floor to public discussion.
Maker: Board Member Connery
Second: Board Member Gladden
Action: Aye: Board Members Estep, Connery, Petree, Gladden, and Bell
Absent: Board Members Vitale and Knutson

Motion: Continue to April 12, 2022, at 6:30 p.m., or soon thereafter as the matter may be heard.
Maker: Board Member Gladden
Second: Board Member Petree
Action: Aye: Board Members Estep, Connery, Petree, Gladden, and Bell
Absent: Board Members Vitale and Knutson

220111CE - 7:15:37 ADMINISTRATION FEES: Administrative Fees update on the satisfaction of liens or fines collected for the Fiscal Year 2021-2022.

Discussion: Ms. Wylie stated that \$811.80 in administrative fees and \$1,700.00 in fines had been collected as of December 2021.

220111CE - 7:16:17 INFORMATIONAL ITEM(S): The next Code Enforcement meeting will be held on February 8, 2022.

There being no further business, the regular session of the Nassau County Code Enforcement Board adjourned at 7:16 p.m.

Stephanie Estep, Chair

Attest