



NASSAU COUNTY CODE ENFORCEMENT  
BOARD MEETING MINUTES

January 10, 2017

Chairman Bell called the meeting to order at 6:30 p.m. followed by the invocation and the Pledge of Allegiance.

Board Members present were: Sarah Bell, Christine Connery, Wynn Fendig, Thomas Ford, John Martin, Jackie Osborne and Mike Spino. Staff members present: Michael Griffin, Building Official/Code Enforcement Director and Janet Wylie, Code Enforcement Secretary. Staff absent: Michael Favors, Code Enforcement Officer, Ricky Walker, Code Enforcement Officer and Michael Mullin, County Attorney

Chairman Bell asked the Code Enforcement Board if any of the members had ex parte contact (discussion of the public meeting) to declare. If the answer is yes, the member must state the source of the contact and state clearly and concisely the substance of the contact for the record. In an abundance of caution, the Board members should consider their personal observations, such as those derived from the site visits, as ex parte communications. Such observations must be disclosed. There were none.

Board Member Spino made a motion to approve the minutes of the regular meeting of December 13, 2016. Board Member Connery seconded the motion. The motion carried 7-0.

Chairman Bell stated that she welcomes the opportunity to serve the citizens of Nassau County fairly and with accuracy. She also reminded everyone to please quite their cell phones due to the meeting being recorded.

The Quasi-Judicial Hearing Procedures were read by Chairman Bell.

OLD BUSINESS:

Building Official and Code Enforcement Director Michael Griffin was sworn in.

OLD BUSINESS:

Case #16-804, Joyce L. Shepperd  
35622 Braddock Road, Callahan

Michael Griffin presented the case against Joyce L. Shepperd for violation of Ordinance 2012-10, Section 38.01, expired pond permit. The Notice of Violation was mailed certified return receipt and was accepted. The Notice of Public Hearing was posted on the property. The property is zoned Open Rural. This case was continued from the November meeting to allow time for Ms. Shepperd to consult with the County Engineering Department to determine a resolution to bring the property into compliance by obtaining a final inspection and approval for the pond that was started in February 2013. Mr. Griffin further stated that Ms. Shepperd did meet with Scott Herring, County Engineering Director and himself on December 15, 2016, and agreed to try and have the pond completed. As of this date, the pond is not in compliance with the standards of Article 38. Staff recommends that the Board find Ms. Shepperd in violation of the standards of 2012-10, Article 38 and order that a new pond permit be obtained and the pond brought into compliance on or before February 10, 2017 or a

fine of \$50.00 per day for each day shall accrue until the property comes into compliance; that administrative fees of \$433.56 be assessed to cover the administrative costs incurred in prosecuting this case and shall be paid on or before February 10, 2017.

Scott Herring, Public Works Director, was present and sworn in. Mr. Herring stated that the issue with the pond has been going on for an extensive amount of time. He had one of his engineers go out and some of the concerns besides the expiration of the permit are: part of the pond is too close to an easement, it doesn't have the 4-1 slope and the vegetation that needs to be established. He further stated that the entire pond doesn't meet the requirements of the permit. This is not a safety issue since it is on private property.

Joyce L. Shepperd was present and sworn in. Ms. Shepperd stated that this was an existing pond in 2004 when her father purchased the property. They did an easement when her son wanted to build a home and needed an easement for the utilities. Two thirds of the pond does have the slop from the original built; all she was doing was getting the pond cleaned out. Since the last meeting she has contacted two construction companies that may be able to bring in dirt if easement side needs to be filled in. Ms. Shepperd further stated that she has listed 20 acres for sale in order to obtain the necessary funds.

After an extensive discussion Board Member Fendig made a motion based on competent and substantial evidence and testimony received in the record Joyce L. Shepperd is in violation of Ordinance 2012-10, Section 38.01, expired pond permit. Board Member Spino seconded the motion. The motion carried 7-0.

Board Member Fendig further ordered that Respondent shall correct the violation(s) on or before March 10, 2017; that in the event the property is not in compliance prior to that date, a fine in the amount of \$50.00 per day shall commence and accrue until such time as the property comes into compliance; that administrative fees in the amount of \$433.56 be assessed to cover the administrative costs incurred in prosecuting this case which amount shall be paid on or before February 10, 2017.; that pursuant to Florida Statue §§ 162.08-09, this order be recorded in the Official Records of Nassau County, Florida and shall constitute a lien against Respondent(s) in an amount equal to any and all fees and fines hereby imposed. Board Member Ford seconded the motion. The motion carried 7-0.

NEW BUSINESS:

None

The meeting was adjourned.

Next Board Meeting — Tuesday, February 14, 2017.

Respectfully submitted by,



Janet Wylie  
Code Enforcement Board Secretary