**CODE ENFORCEMENT BOARD**

**MEETING MINUTES**

**Wednesday, June 21, 2023**

# MINUTES ARE NOT VERBATIM

A meeting of the Okaloosa County Code Enforcement Board was held Wednesday, May 17, 2023 at 4:00 p.m. at the Okaloosa County Administration Building, 1250 Eglin Parkway, first floor Commissioner’s Chambers, Shalimar, Florida. Chairman Mike Banks, Mark Siner, Parrish Hollingsworth, Tammy Summers, Marte Lancaster, and Caralee Gibson attended the meeting. Dana Cawthon was unable to attend.

Growth Management staff in attendance: Lisa Payton, Code Enforcement Supervisor; Lynne Oler, Code Enforcement Administrative Assistant; Ron Cliff, Code Enforcement Officer. Kirsten Mood, of the Okaloosa County Attorney’s Office was also in attendance.

**1.** **PLEDGE OF ALLEGIANCE**

**2. ROLL CALL**

Ms. Lynne Oler conducted roll call.

**3. SWEARING IN OF ALL SPEAKERS**

Ms. Lynne Oler swore in all who wished to speak during the meeting.

**4. APPROVAL OF MINUTES – May 17, 2023 Meeting**

*Motion to approve the minutes of the March 15, 2023 meeting, made by Mark Siner, second by Marti Lancaster, approved unanimously.*

**5. ANNOUNCEMENTS:**

There were none.

**6. PUBLIC COMMENTS:**

There was none.

**7. OLD BUSINESS**:

**A. CEB CASE #18-431369 Robert Lee Smelley**

**Location of Violation: 3621 Grady Johnson Road, Crestview**

Violation of Okaloosa County Code of Ordinances, as amended, Chapter 11, Health and Sanitation, Article III Nuisances, Division 3 Litter, Section 11-134 (b) and Section 11-136 (1)-(3); Division 4 Excessive Growth and Accumulation, Section 11-153 and 11-157; Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance Vehicles, Section 21-65 Nuisance Vehicles; and Appendix E, Land Development Code, Chapter 6, Construction Standards, Section 6.02.01, 11(c)(d).

Ms. Payton read the above violations into the record. Ms. Payton stated this case was from August 18, 2018. The Code Board heard the case, found them in violation, and a $250 per day fine was issued. The Findings of Facts and Conclusion of Law were filed with the Clerk of Court. The violations were not corrected by the compliance date and some remained as of the date of the meeting. Officer Payton stated Code Enforcement had tried to help with the clean-up of the property by scheduling two neighborhood clean-ups and had roll off dumpsters but no one showed up for the clean-up. Recently, Code Enforcement has been communicating with Mr. Smelley’s niece, Shasandra Regan, who wishes to take responsibility for the property. Ms. Regan informed staff that Mr. Smelley is in a nursing home. Ms. Regan has paid the taxes up to date and has been working diligently to get the property in compliance. A Notice of Hearing was mailed to her, at the property, on May 25, 2023. Ms. Payton acknowledged Ms. Regan’s attendance at the hearing. Ms. Payton informed the Code Enforcement Board that as of the date of the hearing, June 21, 2023, the lien equates to $184,250 plus administrative fees. At the time the Code Enforcement Board made the original order, they did not request that the property be brought before the Board of County Commissioners (BCC) to abate and assess the property for the cost of the work necessary to bring the property into compliance. Ms. Payton asked the Code Enforcement Board to recommend that the case be taken before the Board to authorize and impose nuisance abatement assessment against the property for the cost of bringing it into compliance in accordance with Section 11-605 of the Code and asked that the Code Enforcement Board request that the Board of County Commissioners direct and authorize the County Attorney to take legal actions necessary to achieve compliance with the existing Order.

*Caralee Gibson made a motion to take case 18-431369 before the Board of County Commissioners to ask that the BCC authorize the Okaloosa County Attorney’s Office to take any and all legal actions, and to authorize the abatement of the property 3621 Grady Johnson Road, Crestview, and assess the cost of the work necessary to bring the property into compliance against the property. Mark Siner made a second to the motion.* After some discussion the Chairman called for the vote. *The motion passed unanimously.*

**8. NEW BUSINESS:**

 **A. CEB CASE #23-532247 Heirs of Billy G. & Mary E. Grace**

**Location of Violation: 963/965 Mayo Trail, Crestview**

Violation of Okaloosa County Code of Ordinances, as amended, Chapter 11, Health & Sanitation, Article III, Nuisances, Division 3, Sec.11-134, Litter Storage, and Sec. 11-136 Public Nuisances described; Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance Vehicles, Sec. 21-65 Nuisance vehicles; Appendix E, Land Development Code, Chapter 2 Zoning Regulations, Section 2.21.05 Limitations and Restrictions 10 (b) Poultry.

Code Enforcement Officer, Ron Cliff, read the violations above. Officer Cliff issued a Notice of Violation and received no response. Ms. Payton sent out a second notice and received a call from one of the Respondents. Staff’s recommendation is to find the property in violation of the noticed provisions of the Code, and for a $250 per day fine begin after the compliance date with administrative fees of $96.96. Officer Cliff introduced Ms. Brandy Jones, 965/963 Mayo Trail, Crestview, came to the podium. Ms. Jones stated that squatters had come to the property and wouldn’t leave. Ms. Jones said that the vehicles were gone, she was trying to clean up, and she was making progress. She said the people are gone, now. Ms. Lancaster asked if Ms. Jones lives on the property and if she was there the whole time. Ms. Jones said she does live there and had been there, but that she lived at the 963 parts of the property. She said that the people that were there had her frightened and she had gotten to the point where she wouldn’t even go out of the house. Ms. Jones explained that one of the squatters started getting mail there and that made it even harder to get them off the property, and she didn’t have the money to get them evicted. Mr. Siner asked Ms. Jones how long it would take her to get the property cleaned up. Ms. Jones said she thought she could complete it within 30 days.

*Caralee Gibson made a motion to enter an order finding the Respondent in violation of Sec.11-134, Litter Storage, and Sec. 11-136, Public nuisances described; Sec. 21-65 Nuisance Vehicles of the Okaloosa County Code of Ordinances and Sec. 2.21.05(10)(b), Poultry, of the Okaloosa County Land Development Code; ordering Respondent to bring the property into compliance by a Compliance Date of July 18, 2023;and imposing a fine of $250 per day for every day that the property remains out of compliance after the Compliance Date, along with administrative fees. Second by Marti Lancaster. Motion passed unanimously.*

**9. OTHER BUSINESS:**

Chairman Banks stated he may not be here at the July meeting because the Southeastern Building Conference is during that week.

**10. ADJOURN:**

*There being no further business before the Board, Chairman Banks declared the meeting adjourned at 4:30 pm.*

Prepared by:

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Lynne Oler

Code Enforcement Administrative Assistant