

**Murray Code Enforcement Board Minutes
September 1, 2009**

The Murray Code Enforcement Board met in regular session on September 1, 2009 at 5:00 p.m. in the council chambers of City Hall located at 104 North 5th Street.

Board Members Present: Danny Brittain, Mitzi Key, and Thomas Rottinghaus

Board Members Absent: Sam Underwood

Others Present: David Roberts, Jennifer Tolley, Captain Jimmy Potts and general audience.

Chairman Thomas Rottinghaus called the meeting to order and an attendance roll call was then taken.

Approve Minutes from August 4, 2009 Meeting: Chairman Rottinghaus asked for approval of the August 4, 2009 minutes **Danny Brittain made a motion to approve the August 4, 2009 minutes. Chairman Rottinghaus seconded the motion and it carried by a 3-0 voice vote.**

Chairman Rottinghaus introduced the Board members and informed the Respondents of their rights of appeal.

Default Case/Fine Hearing – Bank of America: Chairman Rottinghaus called the default case to order and Jennifer Tolley read the case information. Chairman Rottinghaus asked if any board member had any direct or indirect financial or personal interest in any matter to be decided by the Board. All Board members answered no. Captain Jimmy Potts came forward and was sworn in. Captain Potts stated that he received a complaint that the property located at 404 South 10th was overgrown with grass. Captain Potts presented the Board with pictures of the property. Captain Potts stated the property was overgrown with tall grass and weeds. Chairman Rottinghaus asked if anyone was in the audience that represented Bank of America and there was no reply. The board deliberated. **Chairman Rottinghaus made a motion that the Respondent, Bank of America shall pay a civil fine in the amount of \$1,000 to the City Clerk’s Office. Mitzi Key seconded the motion and it carried by a 3-0 roll call vote.**

Default Case/Fine Hearing – Countrywide Financial: Chairman Rottinghaus called the default case to order and Jennifer Tolley read the case information. Chairman Rottinghaus asked if any board member had any direct or indirect financial or personal interest in any matter to be decided by the Board. All Board members answered no. Chairman Rottinghaus informed Captain Potts that he was still under oath. Captain Potts stated that this was the Respondent’s second offence, which makes the fine \$250 per day, for a maximum fine of \$2,500. Captain Potts presented the Board with pictures of the property

and explained that the yard is still overgrown with grass, and tree limbs are down in the back yard. Captain Potts said it that he was told that one of the neighbors mowed the front yard. The board then deliberated. **Chairman Rottinghaus made a motion that the Respondent, Countrywide Financial, shall pay a civil fine in the amount of \$2,500 to the City Clerk's Office. Danny Brittain seconded the motion and it carried by a 3-0 roll call vote.**

David Roberts notified the Board that effective today, Matt Jennings has resigned from the Code Enforcement Board, due to him moving out of the City.

Being no further business, Thomas Rottinghaus made a motion to adjourn.

Chairman, Thomas Rottinghaus

Recording Secretary, Jennifer Tolley