

**ORDER: REQUIRE CLEAN UP OF PROPERTY LOCATED AT
30 COUNTY ROAD 514 WITHIN 30 DAYS**


Motion was made by David Rikard, duly seconded by Kevin Frye, to require clean up of property located at 30 County Road 514 within thirty days and if not cleaned up by that time, county forces will clean property and assess the costs to the property owner.

The vote on the motion was as follows:

Supervisor Kevin Frye, voted yes
Supervisor Jeff Busby, voted yes
Supervisor David Rikard, voted yes
Supervisor Chad McLarty, absent
Supervisor Mike Roberts, voted yes

After the vote, President Busby, declared the motion carried, this the 20th day of August, 2018.


Jeff Busby, President
Board of Supervisors


Sherry Wallace, Clerical Clerk

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Oscar L Scruggs Jr. & Pearl S. Over
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July 26, 2018

Via Registered and Regular Mail

Notice of Property Cleanup Hearing regarding 30 CR 514, Lafayette County, Ms.

Oscar L. Scruggs Jr. and Pearl S. Dover
30 CR 514
Como, MS 38619

Date of Hearing: **August 20, 2018**
Place of Hearing: **Lafayette County Chancery Building, Board Hearing Room**
Time of Hearing: **8:00am**

Dear Mr. Scruggs and Ms. Dover

On behalf of the Lafayette County, Mississippi Board of Supervisors, I hereby give notice of the setting of a public hearing on the matter of the cleanup of the property owned by you, specifically, that property located at 30 CR 514, (Parcel 057-26-032) Lafayette County, Mississippi, said hearing to commence before the Lafayette County Board of Supervisors on August 20, 2018, at 8:00am. A complaint has been made to the Board of Supervisors regarding the current condition and general state of disrepair of the subject property. We understand that you are the owner of the property.

The purpose of the hearing will be to determine whether the property constitutes a hazard to the community's health and safety within the meaning of Miss. Code Ann. §19-5-105. During the hearing, you or one of your representatives will be permitted to produce evidence regarding the condition of the subject property and others from the public as well as the adjoining landowners will also be provided an opportunity to submit evidence of the property's condition. Upon the conclusion of the hearing, the Board will determine whether the subject property, at the time of the hearing, constitutes "a menace to the public health and safety of the community," and, if so, require the offending conditions to be ameliorated. The Board also has the discretion to proceed to have the land cleaned at taxpayer expense and the costs of cleanup be assessed against the land in the form of a lien which may be enrolled as other judgments as provided in Section 19-5-105. You are further advised that an adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the board of supervisors to reenter the property or parcel of land for a period of one (1) year after the hearing without any further hearing, if notice is posted on the property or parcel of land and at the county courthouse or another place in the county where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning. In that event, additional costs will be assessed against the property.

I would appreciate your advising the undersigned upon your receipt of this letter to confirm your intentions regarding the cleanup of the subject property prior to the scheduled hearing or whether you intend to present evidence that the subject property does not constitute a "menace to the health and safety of the community."

I appreciate your attention to these matters. Should you have any questions or need for further information, please advise at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "D. O'Donnell", with a horizontal line underneath.

David D. O'Donnell, Esq.
Attorney for the Lafayette County Board of Supervisors