


**ORDER: OPEN PUBLIC HEARING PER MISSISSIPPI CODE 19-5-105 TO
DETERMINE IF THE CONDITION OF LAFAYETTE COUNTY PARCEL
232-04-029 IS A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE**

Motion was made by Larry Gillespie, duly seconded by David Rikard, to open Public hearing per MS Code 19-5-105 to determine if the condition of Lafayette County Parcel 232-04-029 is a menace to public health, safety and welfare.

The vote on the motion was as follows:

Supervisor Brent Larson, voted yes
Supervisor Larry Gillespie, voted yes
Supervisor David Rikard, voted yes
Supervisor Chad McLarty, voted yes
Supervisor Mike Roberts, voted yes

After the vote, President Roberts, declared the motion carried, this the 18th day of September, 2023.



Mike Roberts, President
Board of Supervisors



Sherry Wall, Chancery Clerk

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August 28, 2023

Via Regular Mail

Summer Tidwell
98 CR 369
Oxford, MS 38655

Re: Notice of Property Cleanup Hearing regarding Lafayette County, Mississippi Parcel No. 232-04-029 (Site Address: 98 CR 369)

Date of Hearing: September 18, 2023
Place of Hearing: Lafayette County Chancery Building, Board Hearing Room
Time of Hearing: 9:00 am

Dear Mr. Taylor:

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 condition and cleanup of the property owned by you, specifically, that property located at 98 County Road 369, Lafayette County, Mississippi, said hearing to commence before the Lafayette County Board of Supervisors on September 18, 2023 at 9:00 am. A complaint has been made to the Board of Supervisors regarding the current condition and general state of disrepair of the subject property, including building structures which appear dilapidated and in danger of collapse. 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, and dilapidated buildings removed, 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.

Please let me know you have received this notice and advise as to 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." If I do not hear from you or a representative prior to the hearing date, the Board will proceed with the hearing as noticed.

Sincerely,

CLAYTON O'DONNELL, PLLC

A handwritten signature in black ink, appearing to read "David D. O'Donnell", written over the printed name.

David D. O'Donnell

Attorney for the Lafayette County, Ms. Board of Supervisors