

The Richlands Town Council held a Public Nuisance Hearing regarding 374 Vickey Drive, Richlands, VA in the Richlands Council Chambers on August 12, 2014 at 6:50 pm with the following present:

Mayor:	Jannis White
Town Manager:	Tim Taylor
Town Clerk:	Susan Whitt
Town Attorney:	Brad Ratliff
Council Members:	Joe McCracken, Rod Cury, Mary Ann Strong, Frances Meadows
Absent:	Larry Johnson, Doug Ratliff

Mayor White called the meeting to order and deferred to Brad Ratliff, Town Attorney.

Brad Ratliff said the purpose of this Public Hearing is to show cause from James Clinton Holmes, property owner of 374 Vickey Drive, Richlands, VA to determine why he has failed and/or refused to comply with demands to resolve that public nuisance arising from the herein identified property. Proper notice was served on Mr. Holmes and he is appearing here tonight by council's request.

Mr. Ratliff then directed questions to the property owner, asking him to state his full name. James Clinton Holmes. Mr. Holmes stated that his current address is 110 Wren Lane, Richlands, VA 24641.

Mr. Ratliff then stated to Mr. Holmes that he had been brought before council on a public nuisance for the property that he owns at 374 Vickey Drive, Richlands, VA. You were summoned here to show cause as to why you haven't complied. It is my understanding you have been charged by the Police Department. He asked Mr. Holmes if he is the present owner of the property to which Mr. Holmes replied that he is. Sylvia Meadows stated that she was co-owner of the property. She said their parents had listed the property in their names a few years ago and she did not know the condition of the property, she had not been there.

Attorney Ratliff asked Mr. Holmes if he had been cited for the ordinance violations at 374 Vickey Drive. He said he had not, to his knowledge. He asked Mr. Holmes if he had been to the site to do any clean-up. Mr. Holmes said he had not yet. He then asked Mr. Holmes what his intentions were as to the property. Ms. Meadows stated they had been talking with a realtor, Geneva at Richlands Realty and that she advised a title search would have to be done prior to listing the property.

Mr. Ratliff stated the reason for the hearing is there had been a citizen complaint about the property. The Town of Richlands has provisions in the Ordinances to allow the Town to take upon itself to do the clean-up and then assess the homeowner for the cost. By virtue of a request of a Council member to bring you here, it is set up as a hearing before Council but it to give you an opportunity to show cause as to why it's in this condition and to advise the Council what you are going to do about it or if you plan to do anything about it. If you elect not to, another purpose of this meeting is to advise you that we have the authority to do that clean up, and assess the cost to you and if you don't pay the assessment, then we will essentially move forward with securing a lien against the property. In effect, it is the same as a tax lien and then the Town can enforce a sale of the property. I would sense that there would be some value to the property, especially if you are trying to sell it.

Kinda but not really, was Mr. Holmes response. Mr. Ratliff asked him if he could advise Council what to expect.

Mr. Holmes said that he would try to get the house torn down with his uncle's help. The bad part was that neither of them is in the best of health and it will take some time. Mr. Ratliff advised him that he would have 30 days to do so.

Mr. Ratliff advised that Council had been lenient and that he had prepared a Resolution giving Mr. Holmes 30 days to get it torn down or at least have substantial compliance.

Mr. Ratliff asked if the property owners had any questions. Sylvia Meadows said she had not been aware of any of this before today. She said she had not been notified of anything. Mr. Ratliff said they were not aware she was an owner. She said her name is on the deed.

Frances Meadows asked who was trying to buy the property. Sylvia Meadows said that they were trying to list it with a realtor, Geneva McClanahan at Richlands Realty. Ms. Meadows also stated that it is her understanding that one of the neighbors is interested in buying the property. She said from what she could gather, he had taken it upon himself to remove their fence and put his dog lot on their property and has made a driveway through their property to his house. This is what she has been told by people who live up there.

Tim Taylor said obviously if Mr. Holmes could tear it down himself that would be best cost for him. There is an incentive financially to do that instead of waiting on the Town to do it. So if you can make any effort at all to do it yourself, it would be in your favor.

Mr. Holmes said that he and his uncle would be working on tearing it down as they had an opportunity. He said it would be step by step process.

Mr. McCracken suggested that they might advertise for someone to tear down the house for the lumber. Mr. Holmes said that nobody wants to work around here anymore, but they could try it.

Brad Ratliff referred to the Draft Resolution in this matter he had circulated to Council for their consideration later this evening.

Mayor White asked for any further comments. Hearing none, Mayor White asked for a Motion to Adjourn the Hearing. Rod Cury made the Motion, seconded by Joe McCracken. All in favor, 4/0. Motion carried.

Meeting adjourned at 6:58 pm.

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Jannis White, Mayor

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Susan Whitt, Clerk