Call to order .m. with Supervisors Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, and Randy Fletcher present. Also present were County Administrator Robert Bendorf and County Counsel Courtney Abril.

PLEDGE OF ALLEGIANCE - Led by Supervisor Vasquez

ROLL CALL - Supervisors Vasquez, Leahy, Lofton, Bradford, Fletcher

CONSENT AGENDA

MOTION: Move to approve Consent Agenda
MOVED: Andy Vasquez  SECOND: Mike Leahy
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSTAIN: None  ABSENT: None

319/2017 Office of Emergency Services: Adopt resolution proclaiming ongoing local emergency due to Oroville Dam Spillway Event. Adopted Resolution No. 2017-126


322/2017 Office of Emergency Services: Adopt resolution proclaiming ongoing local emergency due to Flood Waters. Adopted Resolution No. 2017-128

323/2017 Office of Emergency Services: Adopt resolution proclaiming ongoing local emergency due to tree mortality. Adopted Resolution No. 2017-129

405/2017 Health and Human Services: Approve agreement with Municipal Resource Group for consulting services and authorize Chair to execute. (Human Services Committee recommends approval). Approved

409/2017 Human Resources: Adopt resolution amending Yuba County Departmental Position Allocation as it relates to the 2017-2018 Fiscal Year Budget. Adopted Resolution No. 2017-130

424/2017 Community Development and Services: Approve Capital Asset Disposal form authorizing removal of damaged, lost or upgraded equipment from inventory. Approved
455/2017 Community Development and Services: Approve Contract Change Order, accept Contract No. 2015-8058 Olivehurst Avenue Complete Streets project as complete; authorize Public Works Director to execute Contract Change Order, and sign and record Notice of Completion. Approved

454/2017 Clerk of the Board: Approve minutes of August 22, 2017. Approved as written

453/2017 Auditor-Controller: Adopt resolution to approve County Budget for Fiscal Year 2017-2018. Adopted Resolution No. 2017-131

420/2017 Auditor-Controller: Approve Memorandum of Understanding with Yuba County Superior Court for PERS Unfunded Liability and authorize Chair to execute. Approved

480/2017 Clerk of the Board of Supervisors: Approve minutes of September 12, 2017. Approved as written

478/2017 Community Development and Services: Award Feather River Blvd Farm to Market pavement resurfacing project from Algodon Road to 400’ west of River Oaks Blvd. to apparent low bidder Teichert Construction, and authorize Chair to execute pending County Counsel approval. Approved

PUBLIC COMMUNICATIONS

Ms. Lacie Robertson – Cross walk safety on Simpson Lane at the Levee
Ms. Karen Liggett – Marijuana impacts to Law Enforcement and citizens
Mr. Edward Brown - Restart Fish and Game Commission
Mr. Dale Whitmore - Restart Fish and Game Commission

COUNTY DEPARTMENTS

452/2017 County Administrator: Approve Memorandum of Agreement for support services between the County of Yuba and Three Rivers Levee Improvement Authority and authorize Chair to execute. (Ten minute estimate). Deputy County Administrator Grace Mull recapped agreement, related costs, and responded to Board inquiries.

MOTION: Move to approve
MOVED: Andy Vasquez  SECOND: Gary Bradford
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSTAIN: None  ABSENT: None

446/2017 Community Development and Services: Award construction contract for storm damage for repair on Pendola Extension Road, Weeds Point Road and Young’s Hill Road to apparent low bidder B & M Builders, pending formal approval by FEMA; authorize Chair to execute upon approval of Counsel. (Ten minute estimate)Public Works Director Mike Lee recapped damage roads, FEMA process and responded to Board inquiries.

The following individuals spoke:
Mr. Mark Jokerest - Camptonville Community Services
Ms. Brandi Dudek - Camptonville Volunteer Fire Chief

MOTION: Move to approve
MOVED: Andy Vasquez  SECOND: Doug Lofton
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSTAIN: None  ABSENT: None
444/2017 Community Development and Services: Award construction contract for storm damage repair on Camp Far West Road, Long Ravine Road, Spenceville Road and Waldo Road to apparent low bidder, Franklin Construction Inc., pending formal approval by FEMA, and authorize Chair to execute upon approval of Counsel. (Five minute estimate) Public Works Director Mike Lee recapped request and responded to Board inquiries.

MOTION: Move to approve
MOVED: Andy Vasquez    SECOND: Mike Leahy
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None    ABSTAIN: None    ABSENT: None

445/2017 Community Development and Services: Award construction contract to apparent low bidder Franklin Construction Inc., for storm damage repair on Dry Creek Levee Road, Ellis Road, Hale Road, Tanabe Road and Morrison Road, pending formal approval by FEMA; and authorize Chair to execute upon review and approval of Counsel. (Ten minute estimate) Public Works Director Mike Lee recapped scope of project and responded to Board inquiries.

MOTION: Move to approve
MOVED: Mike Leahy    SECOND: Doug Lofton
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None    ABSTAIN: None    ABSENT: None

448/2017 Community Development and Services: Award construction contract for storm damage repair on Indiana Ranch Road, Vierra Road, Clark Ranch Road, Wild Acre Way, Westwood Trail, Sandy Way, Skyview Court, Sunnyside Lane, Golden Arrow Lane, Silva Path, Abies Lane, Mourning Dove Way, Jessica Way, Potts Trail, Leanne Way and Begonia Way to apparent low bidder B & M Builders, pending formal approval by FEMA; and authorize Chair to execute upon review and approval of Counsel. (Ten minute estimate) Public Works Director Mike Lee recapped project and encouraged the Board to approve Option No. 3 which would allow for work to begin on County maintained roads, but limit work on County Service Area roads to amounts not to exceed funds available in their respective accounts until such time as formal FEMA approval and obligation of funds is obtained.

MOTION: Move to approve
MOVED: Andy Vasquez    SECOND: Mike Leahy
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None    ABSTAIN: None    ABSENT: None

456/2017 Community Development and Services: Adopt resolution amending the 2017/18 budget to incorporate a list of projects funded by SB 1 Road Repair and Accountability Act and authorize a Budget Adjustment appropriating revenue and expenditures in the total amount of $1.4 million. (Five minute estimate) (4/5 vote required) Public Works Director Mike Lee recapped and responded to Board inquiries.

MOTION: Move to adopt
MOVED: Andy Vasquez    SECOND: Doug Lofton
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None    ABSTAIN: None    ABSENT: None
Adopted Resolution No. 2017-132 by Roll Call vote

443/2017 Human Resources: Adopt resolution amending Resolution No. 2017-83, the Classification System - Basic Salary/Hourly Schedule as it relates to Director of Administrative Services effective October 1, 2017. (5 minutes) Human Resources Analyst Cindy Clark recapped request, methodology used to adjust base, and responded to Board inquiries.

MOTION: Move to adopt
MOVED: Mike Leahy  SECOND: Andy Vasquez  
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher  
NOES: None  ABSTAIN: None  ABSENT: None

Adopted Resolution No. 2017-133

376/2017 Community Development and Services: Adopt resolution making a public interest finding for drainage improvements at Apex Lane and Hammonton Smartsville Road; approve plans, specifications and estimate, and authorize advertisement of bids for construction. (Five minute estimate). Public Works Director Mike Lee recapped project and responded to Board inquiries.

MOTION: Move to adopt  
MOVED: Andy Vasquez  SECOND: Mike Leahy  
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher  
NOES: None  ABSTAIN: None  ABSENT: None

Adopted Resolution No. 2017-134

447/2017 Community Development and Services: Consider options and authorize one in regards to awarding contract for the Storm Damage Repair (Briarwood Lane, Hokan Lane, Intanko Lane and Kapaka Lane) to apparent low bidder, Escheman Construction; award contract but only expend amount of funds available in Trust Fund 661; or delay award of contract for a negotiated length of time with the contractor, until such time FEMA obligates the funds for the project; or reject all bids and re-bid the project after formal obligation of funds from FEMA; and consider authorizing Chairman to execute the contract pending approval by County Counsel. (Ten minute estimate) Public Works Director Mike Lee recapped storm damage to County Service Area roads, delay in receiving FEMA Funds, and advised the CSA trust fund is unable to cover costs of repair. Mr. Lee responded to Board inquiries.

MOTION: Move to delay award of contract for a negotiated length of time with the contractor, until such time FEMA obligates the funds for the project  
MOVED: Gary Bradford  SECOND: Andy Vasquez  
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher  
NOES: None  ABSTAIN: None  ABSENT: None

ORDINANCES AND PUBLIC HEARINGS – The clerk read the disclaimer

474/2017 Public Hearing: Hold Public Hearing and adopt resolution authorizing Yuba County’s participation in the Statewide Community Infrastructure Program. (Community Development and Services) (Five minute estimate) Community Development and Services Director Kevin Mallen recapped and responded to Board inquiries

Chair Fletcher opened the public hearing. No one came forward.

MOTION: Move to closed public hearing and adopt resolution  
MOVED: Andy Vasquez  SECOND: Mike Leahy  
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher  
NOES: None  ABSTAIN: None  ABSENT: None

Adopted Resolution No. 2017-135

CORRESPONDENCE - The Board may direct any item of informational correspondence to a department head for appropriate action.
425/2017 Letter from Yuba County Assessor regarding 2017-2018 Assessment Roll Summary. Received

441/2017 Three notices from California Fish and Game Commission regarding proposed regulatory actions. Received

450/2017 Letter from Edward Brown regarding Citizens for a New Yuba County Fish and Game Advisory Commission. Received

BOARD AND STAFF MEMBERS' REPORTS: This time is provided to allow Board and staff members to report on activities or to raise issues for placement on future agendas.

Supervisor Leahy:
- Greater Sacramento Economic Development meeting
- Submitted guidelines for Fish and Game Committee

Supervisor Bradford: Memorial adjournment – Mrs. Margarete Warner

Supervisor Fletcher: Memorial Adjournment – Mr. Pat Rice

CLOSED SESSION

101/2017 Labor Negotiations pursuant to Government Code §54947(a) – DDAA/YCEA / Negotiator Jill Abel and Karen Fassler - No reportable action

364/2017 Personnel pursuant to Government Code §54957(b)(1) – Public Appointment Administrative Services Director - No reportable action

475/2017 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – significant exposure to litigation pursuant to 54956.9(d)(2) (1 case) - Authority provided to staff by unanimous vote

476/2017 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code 54956.9(d)(1) - Aleh Pekun and Valeriy Borodayev v. Dynamic Home Performance, Michael Vechtomov, Suretec Insurance Company, Fidelity and Deposit Company of Maryland, County of Yuba and Does One through two hundred et al; CVCV17-0001251 - Authority provided to staff by unanimous vote

483/2017 Existing Litigation pursuant to Government Code Section 54956.9(D)(1) - Public Employees Union Local #1 vs. Yuba County; UPC No. Sa-Ce-1024-M - Authority provided to staff by unanimous vote

1:30 P.M. ADMINISTRATIVE HEARINGS – The clerk read the disclaimer and administered the oath

465/2017 Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at 8458/8492 Dutch Flat Trail, Smartsville, CA 95977; APN: 006-260-035; Property Owner: Shaun Brady. (Community Development and Services) (20 minute estimate) (Roll Call Vote) Code Enforcement Manager Jeremy Strang requested a continuance.

MOTION: Move to continue to October 24, 2017
MOVED: Andy Vasquez SECOND: Mike Leahy
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None ABSTAIN: None ABSENT: None
Approved by Roll Call vote

466/2017 Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at Vacant Lot on Dutch Flat Trail, Smartsville, CA 95977; APN: 006-340-010; Property Owners: Anthony Damiano & Juan Sandoval. (Community Development and Services Agency) (20 minute estimate) (Roll Call Vote) Code Enforcement Manager Jeremy Strang requested a continuance.

MOTION: Move to continue to October 24, 2017
MOVED: Andy Vasquez   SECOND: Mike Leahy
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES:  None   ABSTAIN:  None   ABSENT:  None

Approved by Roll Call vote

460/2017 Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at 8226 McGanney Lane, Smartsville, CA 95977; APN: 006-250-034; Property Owner: Skyler Shaba. (Community Development and Services Agency) (20 minute estimate) (Roll Call Vote) Code Enforcement Manager Jeremy Strang provided a PowerPoint presentation including images of outdoor cultivation, unpermitted structures, hazardous electrical, chemicals, and trash. Images taken on September 19 indicated plants had been abated.

Chair Fletcher opened the hearing.

Attorney Michael Mapes advised his client received inadequate notice, property had been cleaned up and nuisance no longer exists; and application has been submitted for building permits. Yuba County Deputy Counsel Andrew Naylor indicated enforcement costs were separate from administrative costs.

MOTION: Move to confirm public nuisance; order legal owner of property shall abate remaining public nuisance conditions; order owner to submit to inspection as necessary; order Code Enforcement to abate if not in compliance; order Cost Accounting hearing; and confirm enforcement costs of $3,194.31
MOVED: Andy Vasquez   SECOND: Doug Lofton
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES:  None   ABSTAIN:  None   ABSENT:  None

Approved by Roll Call vote

464/2017 Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at 8334 Rockin W Trail, Smartsville, CA 95977; APN: 006-220-123; Property Owners: Frank R. & Louise D. Ledesma, Trustees of the Ledesma Living Trust. (Community Development and Services Agency) (20 minute estimate) (Roll Call Vote) Code Enforcement Manager Jeremy Strang presented a PowerPoint presentation depicting images of illegal outdoor cultivation of 41 marijuana plants, unpermitted structures, generator, hazardous electric, unpermitted modular home, recreational vehicle and other inoperable vehicles on site. Mr. Strang advised was unable to conduct a compliance inspection.

Chair Fletcher opened the hearing.

Mr. Dennis Jacobson advised he is the legal property owner and is pursuing a legal action against the owners of record Frank and Louise Ledesma.

Reverend Heidi Lepp objected to the use of the word nuisance in reference to cultivation of marijuana.
Ms. Cammy Wood requested a continuance to November 28, 2017 to accommodate her attorney who was unable to attend due to a scheduling conflict.

MOTION: Move to deny continuance
MOVED: Andy Vasquez  SECOND: Doug Lofton
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSTAIN: None  ABSENT: None

Attorney Michael Ecker advised his clients Mr. and Mrs. Ledesma are in a legal dispute over the property and are willing to work with Code Enforcement to gain compliance.

MOTION: Move to confirm public nuisance; order abatement by 5:00 p.m. September 27, 2017; order owner to submit to 8:00 a.m. inspection September 28, 2017; order Code Enforcement to abate if not in compliance; order Cost Accounting hearing; and confirm enforcement costs of $3,038.49
MOVED: Andy Vasquez  SECOND: Gary Bradford
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSTAIN: None  ABSENT: None

Approved by Roll Call vote

469/2017 Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at 8272 Condor Way, Smartsville, CA 95977; APN: 006-220-057; Property Owner: John F. Gies. (Community Development and Services Agency) (20 minute estimate) (Roll Call Vote) Code Enforcement Manager Jeremy Strang provided a PowerPoint presentation with images of unpermitted structures, outdoor cultivation, hazardous electrical and chemicals. A compliance inspection on September 19 showed all plants had been removed.

Chair Fletcher opened the hearing.

Mr. John F. Gies, property owner, advised the property had been cleaned up, was in the process of obtaining permits for the structure and grading, and submitted a set of photographs depicting the area.

MOTION: Move to confirm public nuisance; order legal owner of property to abate remaining public nuisance conditions; order owner to submit to inspection as necessary; order Code Enforcement to abate if not in compliance; order Cost Accounting hearing; and confirm enforcement costs of $2,882.67
MOVED: Andy Vasquez  SECOND: Mike Leahy
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSTAIN: None  ABSENT: None

Approved by Roll Call vote

468/2017 Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at 8275 Condor Way, Smartsville, CA 95977; APN: 006-220-058; Property Owner: John Gies. (Community Development and Services Agency) (20 minute estimate) (Roll Call Vote) Code Enforcement Manager Jeremy Strang provided a PowerPoint presentation depicting illegal outdoor marijuana grow of 73 marijuana plants, unpermitted green house, and hazardous electrical hookups. Inspection of September 19, showed marijuana plants had been removed.

Chair Fletcher opened the hearing.

Mr. John Gies, property owner, advised all plants had been removed, the property cleaned up, and working to secure permits for the structure.
MOTION: Move to confirm public nuisance; order legal owner of property to abate remaining public nuisance conditions; order owner to submit to inspection as necessary; order Code Enforcement to abate if not in compliance; order Cost Accounting hearing; and confirm enforcement costs of $2,882.67
MOVED: Andy Vasquez   SECOND: Mike Leahy
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None   ABSTAIN: None   ABSENT: None

Approved by Roll Call vote

467/2017 Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at 8327 Hammonton Smartsville Road, Smartsville, CA 95977; APN: 006-220-063; Property Owner: Eric Beckett . (Community Development and Services Agency) (20 minute estimate) (Roll Call Vote) Code Enforcement Manager Jeremy Strang provided a PowerPoint presentation depicting illegal outdoor marijuana cultivation of 58 marijuana plants, unpermitted structure, and hazardous electric. Compliance inspection on September 19 showed the marijuana had been removed.

Chair Fletcher opened the hearing.

Mr. Eric Beckett, advised the marijuana and accessory structure had been removed and responded to Board inquiries.

The Board recessed at 2:55 p.m. and returned at 3:02 p.m. will all members present as indicated above.

MOTION: Move to confirm public nuisance; order legal owner of property to abate remaining public nuisance conditions; order owner to submit to inspection as necessary; order Code Enforcement to abate if not in compliance; order Cost Accounting hearing; and confirm enforcement costs of $3,038.49
MOVED: Andy Vasquez   SECOND: Gary Bradford
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None   ABSTAIN: None   ABSENT: None

Approved by Roll Call vote

457/2017 Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at 8389 McGanney Lane, Smartsville, CA 95977; APN: 006-250-010; Property Owners: Wayne Michael & Linda Joan Peppler, Trustees of the Wayne & Linda Peppler Family Trust. (Community Development and Services Agency) (20 minute estimate) (Roll Call Vote) Code Enforcement Manager Jeremy Strang provided a PowerPoint presentation depicting outdoor cultivation of marijuana of 151 marijuana plants, unpermitted greenhouse, hazardous electrical hookups and chemicals. Property inspection on September 19 showed plants had been removed.

Chair Fletcher opened the hearing.

Mr. Wayne Peppler advised the property and been cleaned up, and provided a copy of a building permit for the greenhouse.

MOTION: Move to confirm public nuisance; order legal owner of property to abate remaining public nuisance conditions; order owner to submit to inspection as necessary; order Code Enforcement to abate if not in compliance; order Cost Accounting hearing; and confirm enforcement costs of $2,762.85
MOVED: Mike Leahy   SECOND: Andy Vasquez
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None   ABSTAIN: None   ABSENT: None
Approved by Roll Call vote

471/2017 Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for properties located at 6052/6082 Brophy Rd and Vacant Lot on Brophy Rd, East Linda, CA 95901; APNs: 019-200-091 & 019-200-090; Property Owner: Xi Long Liu. (Community Development and Services Agency) (20 minute estimate) (Roll Call Vote) Code Enforcement Manager Jeremy Strang provided a PowerPoint presentation depicting illegal outdoor marijuana cultivation consisting of 490 plants, two unpermitted buildings, chemicals, hazardous electrical hookup, trash, unpermitted garage structure with addition marijuana plants, illegal water distribution system, hazardous chemicals and gas hook ups. At compliance inspection held September 18th marijuana had been cut but was still present on the property.

Chair Fletcher opened the hearing.

Xi Liu and Hung Lee stated all the plants had been cut and was advised to leave the plants at location. Mr. Lee, tenant, indicated the building was present upon move in, and was willing to work with staff to clear the violations.

MOTION: Move to confirm public nuisance; order legal owner of property abate remaining public nuisance conditions; order owner to submit to inspection as necessary; order Code Enforcement to abate if not in compliance; order Cost Accounting hearing; and confirm enforcement costs of $3,350.13
MOVED: Mike Leahy SECOND: Andy Vasquez
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None ABSTAIN: None ABSENT: None

Approved by Roll Call vote

470/2017 Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at 4676 Pacific Avenue, Olivehurst, CA 95961; APN: 013-251-037; Property Owner: Fahid Ravaid. (Community Development and Services Agency) (20 minute estimate) (Roll Call Vote) Code Enforcement Manager Jeremy Strang provided a PowerPoint presentation depicting aerial image of unpermitted green house, illegal outdoor cultivation of 175 marijuana plants, hazardous chemicals and electrical hookups, illegal water distribution, junk, trash and debris, and September 13 image depicting plants on site. Mr. Strang indicated inability to complete compliance inspection, and indicated the property has a history of illegal marijuana cultivation going back to October 2015.

Chair Fletcher opened the hearing.

Mr. Louis Logan, tenant, advised all plants had been removed and was available for an inspection September 27, 2017.

MOTION: Move to confirm public nuisance; order abatement by 5:00 p.m. September 27, 2017; order owner to submit to inspection 8:00 a.m. September 28, 2017; order Code Enforcement to abate if not in compliance; order Cost Accounting hearing; and confirm enforcement costs of $1,947.75
MOVED: Andy Vasquez SECOND: Doug Lofton
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None ABSTAIN: None ABSENT: None

Approved by Roll Call vote

472/2017 Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at 3299 Jewett Avenue, East Linda, CA 95901; APN: 019-200-038; Property Owners: Johnathan Ryan Wilson and Mariya Viktorovna Derevyanchuk. (Community Development and Services Agency) (20 minute estimate) (Roll Call Vote) Code Enforcement Manager Jeremy Strang provided a PowerPoint presentation depicting illegal outdoor cultivation of 339...
marijuana plants, and unpermitted structures. At compliance inspection held September 15, marijuana, hazardous electrical hooks ups, and outdoor bedding was present.

Chair Fletcher opened the hearing.

Reverend Heidi Lepp stated special warrants were required to approach a church and plants were removed.

The following individual spoke: Ms. Karen Liggett

**MOTION:** Move to confirm public nuisance; order abatement by 5:00 p.m. September 27, 2017; order owner to submit to inspection 8:00 a.m. September 28, 2017; order Code Enforcement to abate if not in compliance; order Cost Accounting hearing; and confirm enforcement costs of $3,038.49

**MOVED:** Andy Vasquez  **SECOND:** Mike Leahy

**YES:** Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher

**NOES:** None  **ABSTAIN:** None  **ABSENT:** None

Approved by Roll Call vote

463/2017 Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at Vacant Lot off McGanney Lane, Smartsville, CA 95977; APN: 006-250-033; Property Owner: Auberon Shull, Trustee of The McGanney Hill Trust. (Community Development and Services Agency) (20 minute estimate) (Roll Call Vote) Code Enforcement Manager Jeremy Strang provided a PowerPoint presentation depicting illegal outdoor marijuana cultivation of 1, 235 plants, three unpermitted structures, two unknown type gas cylinders, additional marijuana growing in a fourth structure, hazardous electrical hookups, wiring and cords, totes full of processed marijuana, additional outhouse structure and hazardous chemicals. At compliance inspection held September 19, marijuana had been removed from the property.

Chair Fletcher opened the hearing.

Attorney Heather Burke, on behalf of Auberon Shull, advised property was purchased in May and owners are working with Code Enforcement and tenants to become compliant.

**MOTION:** Move to confirm public nuisance; order legal owner of property abate remaining public nuisance conditions; order owner to submit to inspection as necessary; order Code Enforcement to abate if not in compliance; order Cost Accounting hearing; and confirm enforcement costs of $2,882.67

**MOVED:** Andy Vasquez  **SECOND:** Mike Leahy

**YES:** Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher

**NOES:** None  **ABSTAIN:** None  **ABSENT:** None

Approved by Roll Call vote

461/2017 Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at Vacant Lot off McGanney Lane, Smartsville, CA 95977; APN: 006-250-032; Property Owner: Eric Patterson. (Community Development and Services Agency) (20 minute estimate) (Roll Call Vote) Code Enforcement Manager Jeremy Strang provided a PowerPoint presentation depicting illegal outdoor marijuana cultivation of 106 marijuana plants, unpermitted structure construction, hazardous electrical hookups and water and fertilizer discharges. Plants still on scene at compliance inspection held September 14, 2017.

Chair Fletcher opened the hearing.
Attorney Heather Burke, on behalf of property owner Rick Patterson, indicated inspection of September 25 by Code Enforcement indicated all plants removed and owners and tenants will continue to work with Code Enforcing to bring property into compliance.

MOTION: Move to confirm public nuisance; order abatement by 5:00 p.m. September 27, 2017; order owner to submit to inspection 8:00 a.m. September 28, 2017; order Code Enforcement to abate if not in compliance; order Cost Accounting hearing; and confirm enforcement costs of $2,882.67

MOVED: Andy Vasquez SECOND: Doug Lofton
YES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None ABSTAIN: None ABSENT: None

Approved by Roll Call vote

ADJOURN: 4:08 p.m. in memory of Mrs. Margarete Warner and Mr. Pat Rice

ATTEST: DONNA STOTTERMeyer
CLERK OF THE BOARD OF SUPERVISORS

Deputy Clerk Rachel Ferris

Approved: