STANISLAUS COUNTY
NUISANCE ABATEMENT HEARING BOARD

MINUTES

REGULAR MEETING          OCTOBER 27, 2005

I.  ROLL CALL:  Meeting called to order at 6:00 p.m.
     Present:  Chair Jim Poore, Marie Assali and Mickey Peabody, Public Member-
                At-Large
     Absent:    None
     Staff     Present:  Jack Doering, Deputy County Counsel; Michael Newton, Code Enforcement
                     Manager; Janice McClendon, Zoning Enforcement Officer; Pamela Lial, Zoning
                     Enforcement Officer; Ginny Thomas, Zoning Enforcement Officer; Michael
                     Sonke, Zoning Enforcement Officer; and Jan Simpson, Administrative Secretary
                     for the Code Enforcement Unit

II.  PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES
     A.  September 22, 2005
         Assali/Peabody, (3-0), APPROVED

IV.  MATTERS OF INTEREST FROM THE CODE ENFORCEMENT MANAGER
     Item B., CE04-4122 at 8831 Rodden Road, Oakdale, Item C., CE05-997 at 7185/7189
     Richardson Road and 4966 Webster Avenue, Oakdale, Item H., CE05-1543 at 1406 South
     Avenue, Modesto and Item I., CE05-1357 at 1828 Ohio Avenue, Modesto to be pulled from
     the consent calendar for a public hearing.  Remove Item K., CE05-2338 at 2725 E. Linwood
     Avenue, Turlock.  The owner is in compliance.

V.  CORRESPONDENCE
     A copy of the letter dated October 19, 2005 to the Turlock Sportsmen’s Club at 13949 Carpenter
     Road, Modesto, California had been mailed to the Commissioners.

VI.  CONFLICT OF INTEREST DECLARATION
     Mickey Peabody has a conflict of interest on Item B., CE04-4122 at 8831 Rodden Road in
     Oakdale and she will be stepping away from the dais.
VII. PUBLIC ABATEMENT HEARINGS (Consent Items)
Chair Jim Poore informed the public of the consent items and procedure.
Public hearing opened.
Public hearing closed.

CONSENT ITEMS

A. ABATEMENT HEARING REGARDING CE NO. 05-1701 AT 315 E STREET, EMPIRE
Assali/Peabody, Unanimous (3-0), RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.

MICKEY PEABODY STEPPED AWAY FROM THE DAIS.

B. ABATEMENT HEARING REGARDING CE NO. 04-4122 AT 8831 RODDEN ROAD, OAKDALE
Removed for public hearing.
Staff report: Janice McClendon Recommends APPROVAL.
Public hearing opened.
OPPOSITION: Roger Renslow.
Mike Kohler, 8801 Rodden Road.
FAVOR: No one spoke.
Public hearing closed.
Assali/Poore, Unanimous (2-0), RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.

MICKEY PEABODY RETURNED TO THE DAIS.

C. ABATEMENT HEARING REGARDING CE NO. 05-997 AT 7185/7189 RICHARDSON ROAD & 4966 WEBSTER AVENUE, OAKDALE
Removed for public hearing.
Staff report: Janice McClendon Recommends APPROVAL.
Public hearing opened.
OPPOSITION: Dennis Smith.
Lorraine Van Elswyk (Exhibit A thru A-6).
Wayne Spencer.
FAVOR: No one spoke.
Public hearing closed.
Peabody/Assali, Unanimous (3-0), RECOMMENDS CONTINUANCE TO JANUARY 26, 2006.

D. ABATEMENT HEARING REGARDING CE NO. 05-1180 AT 1628 GLENN AVENUE, MODESTO
Assali/Peabody, Unanimous (3-0), RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.
Reopened for public hearing that was previously passed as a consent item.
Staff report: Ginny Thomas Recommends APPROVAL.
Public hearing opened.
OPPOSITION: Juan Guerrero, 1628 Glenn Avenue.
FAVOR: No one spoke.
Public hearing closed.
Assali/Peabody, Unanimous (3-0), RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.
E. **ABATEMENT HEARING REGARDING CE NO. 05-1879 AT 1809 DENVER STREET, MODESTO**
   Assali/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**

F. **ABATEMENT HEARING REGARDING CE NO. 05-2221 AT 1201 INYO AVENUE, MODESTO**
   Assali/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**

G. **ABATEMENT HEARING REGARDING CE NO. 05-2513 AT 720 LASSEN AVENUE, MODESTO**
   Assali/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**

H. **ABATEMENT HEARING REGARDING CE NO. 05-1543 AT 1406 SOUTH AVENUE, MODESTO**
   Removed for public hearing.
   Staff report: Pamela Lial Recommends **APPROVAL.**
   Public hearing opened.
   **OPPOSITION:** No one spoke.
   **FAVOR:** No one spoke.
   Public hearing closed.
   Assali/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**

I. **ABATEMENT HEARING REGARDING CE NO. 05-1357 AT 1828 OHIO AVENUE, MODESTO**
   Removed for public hearing.
   Staff report: Pamela Lial Recommends **APPROVAL.**
   Public hearing opened.
   **OPPOSITION:** Joe Pfeifer.
   **FAVOR:** No one spoke.
   Public hearing closed.
   Assali/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**

J. **ABATEMENT HEARING REGARDING CE NO. 05-1667 AT 2230 GOLF ROAD, TURLOCK**
   Assali/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**

K. **ABATEMENT HEARING REGARDING CE NO. 05-2338 AT 2725 E. LINWOOD AVENUE, TURLOCK**
   Michael Newton, Code Enforcement Manager requests that this case be removed from the calendar. The owner is in compliance.
   Assali/Peabody, Unanimous (3-0), **GRANTS REMOVAL FROM THE CALENDAR.**
L. ABATEMENT HEARING REGARDING CE NO. 05-2065 AT 4813 MCHENRY AVENUE, MODESTO
Assali/Peabody, Unanimous (3-0), RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.

M. BILLING HEARING REGARDING CE NO. 04-787 AT 5400 PIONEER ROAD, HUGHSON
Assali/Peabody, Unanimous (3-0), BILLING APPROVED AS REASONABLE, RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.

VIII. ADDITIONAL MATTERS AT DISCRETION OF CHAIRPERSON
None

IX. OTHER MATTERS OF INTEREST
None

X. MEETING ADJOURNED AT 7:26 P.M.

Michael Newton, Code Enforcement Manager

(The above is a summary of the minutes of the Nuisance Abatement Hearing Board. Complete tape(s)/DVD(s) of the meeting are available from the Department of Environmental Resources Director).